

CHANGES/DELETIONS TO VERSION 1.7

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
1.0	Average Response Time For OSS Pre-Order Interfaces		Delete PM		Agreed AT&T 5/3/01 Comment: deletion of this PM is agreed. AT&T notes that deletion of this measure will require movement of the substantive business rule provisions to PM 2, which currently contains only cross-references to PM 1.	
1.2 Accuracy of Actual Loop Makeup Info Provided for DSL Orders	Benchmark	95% accurate for each level of disaggregation, or parity with SWBT DSL Retail, SWBT DSL Affiliate, or other CLECs, whichever is higher.	95%	This measure is impacted by the particular business plan of the CLEC. For example if the DSL provider only provisions DSL in “green” territory then this PM would reflect 100% whereas if provisioning in “yellow” or “red” zones there would be a greater potential for inaccuracies. Therefore, this measurement is best suited for a benchmark comparison versus parity.	AT&T: IP accurately identifies the substantial omissions and shortcomings in SWBT’s implementation of the measure. SWBT did not so much dispute that it has only partially implemented the measure, rather, it pleads that full implementation would be difficult and burdensome. This Commission will have to make the practical and policy judgment whether to require more complete implementation of the measure, by sampling or otherwise. In addition to the comments of IP, AT&T offers these more limited recommendations: (1) The parity comparison	The Commission agrees with IP that the implementation of PM 1.2 does not comport with the Commission-approved business rule. It is troubling that false negatives are not captured, because SWBT decided to measure the accuracy based on supplemental orders. The Commission’s intent in establishing the parity standard was not only to ensure that ASI was not getting preferential treatment, but also to ensure that SWBT periodically updates its database to ensure accuracy based on its findings as part of the implementation of Project Pronto and CLEC complaints. To the extent SWBT relies on false positives by using

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					<p>with ASI should not be eliminated. Rather, from the workshop discussion, it appears that SWBT is artificially reporting 100% accuracy for ASI and then complaining that this sets up an unfair parity standard. SWBT could provide a more meaningful comparison of the accuracy of the database as used by ASI if it would capture ASI trouble reports prompted by excess bridged tap, load coils, etc. (which had not been identified in loop make-up information), in the same way that it captures CLEC supplemental orders in reporting this measure. 4/4/01 Tr. 20-21. AT&T recommends that SWBT be required to report the ASI data in this fashion, and that the benchmark and parity standard otherwise remain unchanged (except that the z-test no longer should apply, with historical data now available).</p> <p>(2) The Commission should strengthen the benchmark for this measurement, if it does not require more complete implementation by SWBT, such as IP recommends. It is a given that the measure, as implemented, is overstating the accuracy of SWBT's loop</p>	<p>supplemental orders generated by CLECs, the Commission finds that a 95% benchmark with no allowance for critical-z is appropriate. In addition, the Commission finds that SWBT and the CLECs should develop a methodology to periodically sample SWBT's database. The methodology shall be designed to determine accuracy and demonstrate progressive improvement. Such improvements shall be at more than 10% between sampling periods over the next one year to achieve a goal of 95% or greater accuracy for all data contained in SWBT's loop make-up database.</p>

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					<p>makeup database. SWBT concedes that it has implemented this measure in a manner that fails to capture false negatives– the situation in which bad information in SWBT’s database causes a CLEC to turn down a potential customer. Id. at 28. SWBT complains that it would be burdensome to capture those errors. There is no reason to think that these errors occur any less frequently than false positives. If SWBT is not going to be required to sample or otherwise test for false negatives, then at least the benchmark for a measure that captures only false positives should be strengthened.</p> <p>Based on the importance of accuracy in this database to a CLEC’s opportunity to compete in the provision of DSL services, where SWBT’s extension of its local monopoly position already is well advanced, AT&T recommends that the benchmark be set at 98.5% accuracy. Expecting SWBT to meet that standard is not unreasonable; SWBT has achieved that level in its statewide data two of the past four months.</p>	

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					<p>WCOM: WCOM recommends the critical z-value not apply to this measure. The 95% benchmark is an adequate margin.</p> <p>XO and McLeod: Agrees with the AT&T, IP, and WCOM comments.</p> <p>IP: The intent behind Measure 1.2 is clear from a reading of the business rule. The business rule states that: This measurement tracks accuracy of the loop makeup information provided to the CLEC. It compares reported loop makeup information to actual loop makeup information on the loop provided to the CLEC, and it captures both the clerical error and underlying data error.</p> <p>The methodology developed by SWBT to implement Measure 1.2 fails to track the accuracy of information. By limiting the implementation to "supplemental" orders, SWBT does not capture all loop make-up inaccuracies. The method SWBT used appears to be an attempt by SWBT to capture "false positives", i.e. situations</p>	

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					<p>where the data provided demonstrates that the loop is good as -is, but it is determined that the loop is not sufficient. First, the proposed mechanism does not comprehensively capture such "false positives." For example, suppose the erroneous information relates to loop length. If the loop turns out to be too long for line sharing, after the CLEC submits the first LSR relying on the provided data, the CLEC will not be supplementing for conditioning, instead the CLEC will be canceling the order. These cancels do not appear to be covered.</p> <p>Second, the measure does not capture "false negatives", i.e. when the information shows that the loop is digital loop carrier, neighboring disturbers, too long, or has a number of load coils/repeaters. In this situation, the CLEC will likely pass on the customer all together due to the inaccurate loop make-up information. Thus, there is no supplement. These "false negatives" are of serious concern. CLECs have come across numerous situations where information provided</p>	

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					<p>in response to LMRs for an area all return as having "pair gain", yet ASI is marketing to those customers. In fact, in one example raised by Prism communications during the Missouri 271 proceeding, Prism was aware that certain LMRs resulted in "false negatives" being returned by SWBT only because a salesman had specific knowledge that ASI was selling to that lucrative office building. As a general rule, however, CLECs will have to accept the LMR as factual and pass on the customer.</p> <p>It is critical that the methodology used by SWBT comprehensively capture all "false positives" and "false negatives". SWBT's methodology is obviously deficient in its ability to track the "accuracy of loop makeup information provided to the CLEC."</p> <p>Additionally, IP would oppose any change to the benchmark. Given that there is no information as to what a properly implemented 1.2 would provide, it is at best premature to consider any changes to the benchmark.</p>	

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					<p>During the Commission workshop it was made clear by SWBT's statements that they have not attempted to develop a methodology that is consistent with the Commission-ordered business rule.</p> <p>At a minimum, SWBT would need to begin by capturing the following:</p> <ul style="list-style-type: none"> (a) the length of the loop in 26 gauge equivalent (b) the medium of the loop by segment/type of DLC (e.g., copper, fiber-IDLC, UDLC, DISC*S, Slick 96) (if pair gain, what kind of pair gain. If copper, we assume 100% copper.) (c) # of load coils (d) Existence of repeaters (e) total length of bridge tap (f) existence of line extenders (g) existence of DAMLs or other DSL interfering equipment (h) # of known disturbers (i) in a Pronto configuration the length of the copper subloop between the remote terminal and the end user's premises <p>This proposal, which was largely provided to SWBT in September, would be a starting point. The number of</p>	

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					<p>data fields measured have been intentionally limited to assist SWBT. Should problems arise with regard to inaccurate data in other fields, IP will seek their addition at the next six month review.</p> <p>SWBT would be required to collect on all loops unless they obtain approval in 20400 of a sampling technique. (Because SWBT has been unwilling to discuss a methodology to implement the ordered PM, the industry has not been able to discuss the appropriateness of a sampling methodology.) For example, for load coils, any deviation from actual would be a miss. Same with repeaters and disturbers.</p> <p>For loop length and bridged tap, a percentage allowance would not be unreasonable. The theory is, if the 26 equivalent loop length or the length of bridged tap provided is more than x% off from the actual, SWBT will incur a miss. IP proposed a 10% tolerance to give SWBT some leeway. In other words, if the length provided by SWBT is off by no more than 10.0%, then SWBT will not be considered to have missed.</p>	

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					If any one of the measured fields are “missed” for a given loop qualification request, the entire request is considered a miss.	
2	Benchmark	DataGate/EDI/CORBA Service Appointment Scheduling (Due Date) 90% within 1 second 95% within 2 seconds	DataGate/EDI/CORBA Service Appointment Scheduling (Due Date) 90% within 2 seconds 95% within 3 seconds		Agreed	
2	Benchmark (Protocol Translation Time)	Protocol Translation Times are Diagnostic	Diagnostic: EDI in 90% 2 seconds EDI in 95% 4 seconds EDI out 90% 2 seconds EDI out 95% 4 seconds Subject to penalties: CORBA in 90% 1 second CORBA in 95% 2 seconds CORBA out 90% 1 second CORBA out 95% 2 seconds		Agreed	
4.1	Pre-Order Backend System Database Query Availability		Delete and reported on a per request basis. SWBT will agree to provide this information upon request via an assessable letter to all CLECs upon request of any individual CLEC.		Agreed	
5 (A)	Business Rule	FOC business rules are established to reflect the Local Service Center (LSC) normal hours of operation, which include Monday through Friday, 8:00 a.m. to 5:30 p.m, excluding holidays and weekends. If the start time is outside of normal	FOC business rules are established to reflect the Local Service Center (LSC) normal hours of operation, which include Monday through Friday, 8:00 a.m. to 5:30 p.m, excluding holidays and weekends. If the start time is outside of normal business hours, then the start		Agreed	

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		business hours, then the start date/time is set to 8:00 a.m. on the next business day. Example: If the request is received Monday through Friday between 8:00 a.m. to 5:30 p.m.; the valid start time will be Monday through Friday between 8:00 a.m. to 5:30 p.m. If the actual request is received Monday through Thursday after 5:30 p.m. and before 8:00 a.m. the next day; the valid start time will be the next business day at 8:00 a.m. If the actual request is received Friday after 5:30 p.m. and before 8:00 a.m. Monday; the valid start time will be at 8:00 a.m. Monday. If the request is received on a holiday (anytime); the valid start time will be the next business day at 8:00 a.m. For LSRs received electronically requiring no manual intervention by the LSC, the OSS hours of operation will be used in lieu of the LSC hours of operation (i.e., actual OSS processing time outside of LSC hours will not be excluded in calculating the interval). The returned confirmation	date/time is set to 8:00 a.m. on the next business day. Example: If the request is received Monday through Friday between 8:00 a.m. to 5:30 p.m.; the valid start time will be Monday through Friday between 8:00 a.m. to 5:30 p.m. If the actual request is received Monday through Thursday after 5:30 p.m. and before 8:00 a.m. the next day; the valid start time will be the next business day at 8:00 a.m. If the actual request is received Friday after 5:30 p.m. and before 8:00 a.m. Monday; the valid start time will be at 8:00 a.m. Monday. If the request is received on a holiday (anytime); the valid start time will be the next business day at 8:00 a.m. For LSRs received electronically requiring no manual intervention by the LSC, the OSS hours of operation will be used in lieu of the LSC hours of operation (i.e., actual OSS processing time outside of LSC hours will not be excluded in calculating the interval). The returned confirmation to the CLEC will establish the actual end date/time. Provisions are established within the DSS reporting systems to accommodate situations			

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		<p>to the CLEC will establish the actual end date/time. Provisions are established within the DSS reporting systems to accommodate situations when the LSC works holidays, weekends, and when requests are received outside normal working hours. For UNE Loop and Port combinations, orders requiring N, C, and D orders; the FOC is sent back at the time the last order that establishes service is distributed.</p> <p>All UNE P orders are categorized as Simple or Complex in the same manner as Retail or Resale orders are categorized. All orders that flow through EASE are categorized as Simple and all orders that do not flow through EASE are categorized as Complex.</p> <p>A Mechanized Business Ordering system (MBOS) document is also required for engineering of trunks that must take place prior to the request being worked. Depending on the changes being made, the due dates for the restructure could be the</p>	<p>when the LSC works holidays, weekends, and when requests are received outside normal working hours. For UNE Loop and Port combinations, orders requiring N, C, and D orders; the FOC is sent back at the time the last order that establishes service is distributed.</p> <p>All UNE P orders are categorized as Simple or Complex in the same manner as Retail or Resale orders are categorized. All orders that flow through EASE are categorized as Simple and all orders that do not flow through EASE are categorized as Complex.</p> <p>A Mechanized Business Ordering system (MBOS) document is also required for engineering of trunks that must take place prior to the request being worked. The MBOS form must be initiated by the LSC service representative with information from the LSR for services such as Centrex, DIDs, Plexar I, Package II, Plexar II Basic, Plexar Custom Basic, and PRI services such as Smart Trunks, Select Video, etc. Once the MBOS form is</p>			

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		<p>same day or next day for simple changes. Complex accounts needing an MBOS could require approximately 5 days to restructure. The MBOS form must be initiated by the LSC service representative with information from the LSR for services such as Centrex, DIDs, Plexar I, Package II, Plexar II Basic, Plexar Custom Basic, and PRI services such as Smart Trunks, Select Video, etc. Once the MBOS form is completed, the LSC service representative must release it to the other involved departments for review and determination of the design information and to determine the necessary steps to provide the services. This may involve review of TN number availability, design circuit provisioning, translations requirements, etc. to determine the service availability and due date. Depending on the service and complexity of the request, the return of the MBOS could be 3-5 days. Therefore, the FOC is to be negotiated for any</p>	<p>completed, the LSC service representative must release it to the other involved departments for review and determination of the design information and to determine the necessary steps to provide the services. This may involve review of TN number availability, design circuit provisioning, translations requirements, etc. to determine the service availability and due date. Depending on the service and complexity of the request, the return of the MBOS could be 3-5 days. Therefore, the FOC is to be negotiated for any services that require an MBOS.</p> <p>If the CLEC accesses SWBT systems using a Service Bureau Provider, the measurement of SWBT's performance does not include Service Bureau Provider processing, availability or response time.</p> <p>MECHANIZED REQUESTS For mechanically originated LSRs, the start date and time is the receive date and time that is automatically recorded by the interface (EDI or LEX) with the system date and time. The end date and time is recorded by the interface (EDI or LEX) and</p>			

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		<p>services that require an MBOS.</p> <p>If the CLEC accesses SWBT systems using a Service Bureau Provider, the measurement of SWBT's performance does not include Service Bureau Provider processing, availability or response time.</p> <p>LEX/EDI For LEX and EDI originated LSRs, the start date and time is the receive date and time that is automatically recorded by the interface (EDI or LEX) with the system date and time. The end date and time is recorded by the interface (EDI or LEX) and reflects the actual date and time the FOC is available to the CLEC. For LSRs where FOC times are negotiated with the CLEC, the ITRAK entry on the SORD service order is used in the calculation.</p> <p><u>VERBAL or MANUAL REQUESTS</u> Manual service order requests are those initiated by the CLEC either by telephone, fax, or other manual methods (i.e. courier). The fax</p>	<p>reflects the actual date and time the FOC is available to the CLEC. For LSRs where FOC times are negotiated with the CLEC, the ITRAK entry on the SORD service order is used in the calculation.</p> <p>MANUAL REQUESTS Manual service order requests are those initiated by the CLEC either by telephone, fax, or other manual methods (i.e. courier). The fax receipt date and time is recorded and input on the SM -FID on each service order in SORD for each FOC opportunity. The end time is the actual date and time that a successful attempt to send a paper fax, is made back to the CLEC. If a CLEC does not require a paper fax the FOC information is provided over the phone. In these instances, the order distribution time is used as the FOC end date and time. If a CLEC chooses to receive their FOCs via the Website, the end time is the date and time the FOC is loaded to the Website. The ITRAK-FID is used when FOC times are negotiated with the CLEC. The LSC populates the ITRAK-FID with certain pre-established data entries that are used in the FOC calculation.</p>			

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		receipt date and time is recorded and input on the SM-FID on each service order in SORD for each FOC opportunity. The end time is the actual date and time that a successful attempt to send a paper fax, is made back to the CLEC. If a CLEC does not require a paper fax the FOC information is provided over the phone. In these instances, the order distribution time is used as the FOC end date and time. If a CLEC chooses to receive their FOCs via the Website, the end time is the date and time the FOC is loaded to the Website. The ITRAK-FID is used when FOC times are negotiated with the CLEC. The LSC populates the ITRAK-FID with certain pre-established data entries that are used in the FOC calculation.				
5 Percent FOCs Returned on time for LSR Requests	Levels of Disaggregation	Manually submitted: Simple Res. And Bus. < 24 Hours Complex Business (1-200 Lines) < 24 Hours Complex Business (>200 Lines) < 48 Hours MBOS related services (Centrex, Plexar I Pkg II, Plexar II, Plexar Custom	Electronic/Electronic Resale (residential and simple business combined) UNE-P (POTS loop/port combinations) UNE loop (excluding DSL loops), with or without LNP DSL capable loops (including standalone loops, line sharing and line splitting)	The proposal by Birch suggests that FOCs on manual LSRs need to be monitored separately. The basis for their argument is that there are some products that require manual submission. This fact does not justify measuring them separately.	Order Types that require manual submission (Birch proposal, SWBT opposes.) WCOM 5/3/01 comments: At the workshop, SWBT committed to provide WCOM a six month report showing monthly disaggregated results of	The Commission orders adoption of the joint proposal to combine EDI and LEX for this measure, as the data for EDI and LEX have been similar over the past few months. SWBT shall, however, provide to any requesting CLEC a report that disaggregates EDI and

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		<p>Basic, and DID Trunks (1-200 lines) — negotiated</p> <p>UNE Loop (1-49 Loops) < 24 Hours</p> <p>UNE Loop (> 49 Loops) < 48 Hours</p> <p>Switch Ports < 24 Hours</p> <p>Simple Res. And Bus. LNP Only (1-19 Lines) < 24 Hours</p> <p>Simple Residence and Business LNP Only (20+ Lines) < 48 Hours</p> <p>LNP with Loop (1-19 Loops) < 24 Hours</p> <p>LNP with Loop (20+ Loops) < 48 Hours</p> <p>LNP Complex Business (1-19 Lines) < 24 Hours</p> <p>LNP Complex Business (20-50 Lines) < 48 Hours</p> <p>LNP Complex Business (50+ Lines) < Negotiated with Notification of Timeframe within 24 Hours</p> <p>— Electronically submitted via LEX or EDI:</p> <p>Simple Res. And Bus. < 5 Hours</p> <p>Complex Business (1-200 Lines) < 24 Hours</p> <p>Complex Business (> 200 Lines) < 48 Hours</p> <p>MBOS related services (Centrex, Plexar I Pkg II, Plexar II, Plexar Custom</p>	<p>LNP only</p> <p>All other</p> <p>Manual Intervention</p> <p>Resale (residential and simple business combined)</p> <p>UNE-P (POTS loop/port combinations)</p> <p>UNE loop (excluding DSL loops), with or without LNP</p> <p>DSL capable loops (including standalone loops, line sharing and line splitting)</p> <p>LNP only</p> <p>Order Types that require manual submission (Birch proposal, SWBT opposes.)</p> <p>All other</p>	<p>SWBT does not manage FOC based on how the LSR is received. Instead, different categories of LSRs receive different interval commitments, and those commitments are what determine how we manage FOC. The measure as agreed to by SWBT is intended to represent how often SWBT meets the interval commitment, regardless of what that commitment is. The fact that it was received manually or mechanically does not, and should not, be a factor in whether we make every attempt to meet that commitment.</p> <p>While there are some efficiencies gained when an order is entered mechanically (which SWBT is made responsible for by a shortened commitment), we still have to meet the required commitment. Further, most of these products will appear in the category “All Other” and will likely be the majority of that category, thus will be largely disaggregated in the existing proposal</p>	<p>LEX/EDI performance. WCOM respectfully requests that the report be provided prior to the next six-month review, so that WCOM can provide comments on the issue at the next review.</p> <p>AT&T 5/03/01 Comment:</p> <p>With respect to the agreements reached during this review regarding disaggregation, AT&T recommends that the business rule contain an express statement that SWBT will report the cumulative results for the “electronic/electronic” and “manual intervention” categories, as well as for the several subcategories under each (and subject to any further revision of the business rule required by the Commission’s resolution of the dispute over the category of orders that must be submitted manually).</p> <p>Birch 05/03/01 Comment:</p> <p>the Birch proposal to add one additional disaggregation is simply to ensure continued performance for order types that can not be ordered electronically. Combining these order types with</p>	<p>LEX. This report shall be provided in advance of the next six-month review, and it shall include data for the requesting CLEC as well as aggregate CLEC data if requested.</p> <p>The Commission approves the proposed changes to the levels of disaggregation. With regard to the proposed disaggregation for manually submitted orders, the Commission finds that these orders should be included in the “All Other” category.</p>

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5 Percent FOCs Returned on time for LSR Requests	Benchmark	<p>All 5 Hour FOC 95% / 24 Hour FOC 94% / 48 Hour FOC 95%/Acct Restr.</p> <p>95% the Average for the last 5% for 95% benchmark or the last 6% for 94% benchmark shall not exceed 20% of the established benchmark, excluding projects.</p> <p>Violations with respect to</p>	<p>Electronic – Electronic 95% within 60 minutes.</p> <p>Manual Intervention - 95% within the benchmark defined below:</p> <p>Within 5 Hours for the following service types:</p> <p>Mechanized Simple Res/Bus/Mechanized UNE Loop (1-49)/Mechanized</p>	<p>Tail: SWBT is opposed in principle to continuing to calculate a tail. When the overall benchmark was originally established, it was set at a level which would not impede competition. The tail is not calculated unless SWBT meets the overall benchmark, and therefore, is providing a level of service</p>	<p>Original ATT Comment Concerning the Tail Measure:</p> <p>Finally, under the present structure of PM 5, AT&T would oppose eliminating the separate requirement that the worst 5% of FOC return times must have an average return time of 120% of the target interval. This</p>	<p>The Commission concurs with the CLECs and recommends that there be no changes to the tail measure calculation at this time. However, the Commission finds that SWBT shall not be liable for Tier-2 damages for tail violations. Thus, SWBT should continue to report the tail data; however, it will be</p>

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		<p>the “tail” (the last 5/6%) are subject to Tier 1 low damages and Tier 2 medium damages, and will apply only if SWBT has met the benchmark on the corresponding “percent within x” measurement.</p> <p>The critical z value does not apply to the following categories: Simple res. and bus—LEX, EDI and Manual Complex business—LEX, Manual UNE (1-49)—EDI, LEX Simple res. and bus LNP only (1-19)—LEX, EDI Simple res. and bus LNP with loop (1-19)—LEX, EDI LNP Complex Business—LEX, EDI</p> <p>The critical z value applies to all other categories.</p>	<p>Switch Ports/ Mechanized LNP with Loop (1-19)</p> <p>Within 6 Hours for the following service types: Mechanized UNE xDSL Capable Loop (1-20)/Mechanized Line Sharing (1-49)</p> <p>Within 14 Hours for the following service types: Mechanized UNE xDSL Capable Loop (>20)/Mechanized Line Sharing (>49)</p> <p>Within 24 Hours for the following service types: Manual and Mechanized Complex Bus (1-200)/ Manual and Mechanized LNP Complex Business (1-19)/Manual Simple Res./Bus/Manual UNE Loop(1-49)/Manual Switch Ports/ Manual LNP with Loop (1-19)/ Manual LNP Complex Business (1-19)/Manual UNE xDSL Capable Loop (1-49)/Manual Line Sharing (1-49)</p> <p>Within 48 Hours for the following service types: Manual and Mechanized Complex Bus (>200)/Manual and Mechanized UNE Loop (>50)/ Manual and Mechanized LNP Complex Business (20-50 Lines)/ Manual and Mechanized LNP with Loop (>20)/Manual UNE xDSL Capable Loop (></p>	<p>that is not impeding competition. If Staff decides that some type of tail measure is necessary, the following options were discussed in the hearing and are listed in order of SWBT’s preference. SWBT would propose a modified tail in which SWBT, upon violating the tail measure, would only pay Tier 1 damages on those FOCs which exceed 20% of the established benchmark, excluding projects with no Tier 2. Tier 2 is typically reserved for violations which are competition affecting. By meeting the established benchmark for the PM, we are, by definition, providing a level of service which is not competition impacting. At most, a violation of the modified tail should only be subject to Tier 1 damages. AT&T stated willingness to remove Tier 2 from current calculation. In SW BT’s view, this is the least acceptable option of those presented. Tier 2 is typically reserved for violations which are competition affecting. By meeting the established benchmark for the PM, we are, by definition, providing a level of service which is not competition impacting. At most, a violation of the tail</p>	<p>requirement provides some protection against extended delay caused by relatively few orders (outliers, or the “tail”). This issue may warrant reevaluation depending on other changes that might be made to PM 5 during this review.</p> <p>AT&T 5/03/01 Comment:</p> <p>CLECs agreed to make very substantial changes in this measure, greatly reducing the levels of disaggregation reported by SWBT, in response to SWBT concerns. These changes raise concerns that SWBT’s performance for one type of transaction may offset or mask poor performance in an area that to date has been separately reported. AT&T is opposed to further compromising the protections offered by this measure and therefore opposes changing the application of the separate “tail” measurement (though, of course, SWBT will benefit from the application of the tail to the reduced levels of disaggregation). SWBT’s proposal to pay one “per occurrence” quantum of Tier 1 damages only for those FOCs which exceed 20% (actually 120%) of the</p>	<p>excluded for purposes of Tier-2 damage calculations.</p> <p>The Commission finds that the Critical-Z-value should no longer apply to this measure, as it is not a parity measure. During the workshop, SWBT and the CLECs agreed to this change.</p>

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			49)/ Manual Line Sharing (>49) Within the Negotiated interval for the following service types: Manually and Mechanized LNP Complex Business (>50)/ MBOS related services (Centrex, Plexar I Pkg II, Plexar II, Plexar Custom Basic, and DID Trunks (1-200 lines)) < Negotiated with Notification of Timeframe within 24 Clock Hours	should only be subject to Tier 1 damages.	benchmark interval is inconsistent with the way in which SWBT's remedy plan applies damages to measures expressed as averages. Under SWBT's plan, the degree by which the average exceeds the performance standard is used to calculate the number of "occurrences" as a proxy for severity, whether the degree of departure results from many transactions which miss the mark a little bit or by a few which greatly exceed the standard. SWBT's proposal to eliminate or modify application of the tail calculation should be rejected, at least regarding Tier 1 damages. See 4/04/01 Tr. 108-110, 115-17.	
5 Percent FOCs Returned on time for LSR Requests	Measuremt Type	Tier 1 – Low Tier 2 – Medium	Tier 1* – Low Tier 2* – Medium * Penalties would be assessed at the following levels: Electronic/Electronic Manual Intervention: Resale Manual Intervention: UNE-P Manual Intervention: UNE Loop Manual Intervention: DSL Capable Loops Manual Intervention: LNP only Manual Intervention: Order Types that require manual submission (Birch proposal,		Agreed – Pending resolution of disaggregation for Manual Intervention.	Consistent with Commission's decision regarding the levels of disaggregation, penalties should be assessed for manually submitted--manually handled order types under the category of "Manual Intervention: All Other."

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
			SWBT opposes.) Manual Intervention: All Other			
5.1	Percent Firm Order Confirmation (FOCs) for XDSL – capable loops & Line Sharing Returned Within “x” Hours		Delete		Agreed	
5.2	Percent Firm Order Confirmations (FOCs) Returned within X days on ASR Requests	Tier 1 – Low Tier 2 – Low	Tier 1 - Low Tier 2 - Medium		Agreed	
6 Average Time to Return FOC	Average Time to Return FOC		Delete	This measure is duplicative. (See PM 5) Dispute : If PM 6 stays, Include DSL and Delete 6.1	AT&T: Subject to the views of Staff and other CLECs presented during this review, AT&T does not oppose elimination of this measure, provided that satisfactory changes are made to PM 5, such as AT&T is proposing. WCOM: WCOM disagrees with the deletion of PM 6. FOC interval is an integral part of	The Commission finds that this measure should be deleted. SWBT, however, shall continue to make raw data available to the CLECs for analysis. Additionally, the Commission's decision to retain the tail will serve as a check on SWBT's FOC return performance.

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
					<p>an order. Even though PM 5 shows the % met by the standard, the interval of the missed FOCs is not visible. Therefore, WCOM recommends keeping the measure and also asks that the calculation be changed to measure the average time of the FOCs that are missed and not include the interval of the met by standard. Including the time of the met FOCs in the calculation of the average interval, waters down the result of the missed FOC average interval.</p> <p>WCOM 5/3/01 comments:</p> <p>WCOM agrees to deleting PM 6.1 if PM 6 stays with DSL included in PM 6. Again, at the workshop, SWBT committed to provide WCOM a six month report showing monthly disaggregated results of LEX/EDI performance. WCOM respectfully requests that the report be provided prior to the next six-month review, so that WCOM can provide comments on the issue at the next review.</p> <p>Birch:</p> <p>Birch agrees with SWBT.</p>	

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
					<p>TWTC:</p> <p>Agrees with W/Com especially if SBC's proposed change to benchmark structure is adopted (manual negotiated). TWTC believes the average FOC interval will increase as a result of SBC's proposed benchmark structure change. Therefore, a measure of Average FOC interval is needed to assess the long term impact of SBC's proposed benchmark structure change.</p> <p>TWTC, McLeod and XO 5/3/01 comments:</p> <p>Agree to delete 6.1 if DSL included in PM 6.</p>	
6.1	Average Time to Return DSL FOCs		Delete		<p>IP's understanding of the agreement is that DSL providers believe this measure should be handled in the same manner as PM 6. If PM 6 is deleted, then and only then, does IP agree to the deletion of PM 6.1.</p>	
7.1	Levels Of Disaggregation	LEX EDI	None	.	<p>Agreed</p> <p>WCOM 5/3/01 comments: See WCOM comments in PM 5 re: SWBT's agreement to provide six-month report.</p>	

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
10.0	Levels Of Disaggregation	LEX EDI	None		Agreed WCOM 5/3/01 comments: See WCOM comments in PM 5 re: SWBT's agreement to provide six-month report.	
10.1 % Mechanized Rejects Returned W/in one hour of receipt of LSR	Measuremt Type	<i>Tier 1 – Low</i> <i>Tier 2 – None</i>	<p><i>Tier 1 – Low</i> Tier 2 – None CLECs with a reject rate of 30% or greater for LSRs submitted electronically, which receive a manual reject will not be eligible for Tier 1 Payments.*</p> <p>* If the CLEC requests a reconciliation of this performance measurement data during which it is found that the rejects were returned inappropriately by SWBT, which caused the rate to exceed the 30% level the restriction will be lifted.</p>	<p>SWBT has continued to improve the upfront edits that were a concern during the last PM review. This exclusion is only for the small portion of CLECs that continue to send an extremely high percentage of LSRs which contain errors and require a reject, despite the improvements and tools that SWBT has provided to assist them in improving their reject rates. This volume of rejects could be completely eliminated by the CLEC if they would use these tools. High levels of errors on LSRs cause SWBT to be in jeopardy of being unable to comply with the time requirements. Until a CLEC improves the quality of their orders to 70% accuracy or better, SWBT should not be held to this level of service.</p> <p>WCOM's lack of understanding of how rejects could be eliminated through use of tools provided by SWBT is understandable, since we on the account team</p>	<p>AT&T 5/03/01 Comment:</p> <p>Additional upfront edits continue to be the most appropriate tool for mitigating the conditions that SWBT describes as impacting its performance relative to this measure. With the changes that SWBT has made to the proposed limitation on Tier 1 damages for CLECs with a PM 10.1 reject rate of 30% or more, AT&T does not oppose testing this provision, subject to reconsideration at the next six month review, where such reconsideration should include any perceived impact on SWBT's progress or incentives regarding addition of upfront edits.</p> <p>WCOM:</p> <p>Even though SWBT has attempted to improve upfront edits, WCOM continues to receive numerous rejected orders in error (nothing wrong w/CLEC order and should have been rejected).</p>	<p>The Commission finds that the proposed language should be adopted with the following modifications: "CLEC's with a reject rate of 30% or greater for three consecutive months for LSRs submitted electronically which receive a manual reject will not be eligible for Tier 1 Payments." The Commission also approves the SWBT-proposed reconciliation language.</p> <p>The Commission anticipates SWBT's increase of the number of upfront edits and increased CLEC ordering experience to reduce the percentage of mechanized rejects. Thus, this measure will be subject to reconsideration at the next six-month review.</p>

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
				<p>find they do not use tools effectively or at all. The orders they send through LEX include new and move orders which require a SAG-valid address. WCOM does not use SAG, preferring to use a system which validates against the US Postal service. While that database will insure the bills are sent out correctly, it does not get an order through SWBT's systems. WCOM's number one reject in all regions is for incorrect address.</p> <p>Birch's comment about having to manually enter the address information is interesting too. If a CLEC uses the Pre-Order SAG validation, they should have access to the exact correct address to populate their order.</p> <p>Staff suggested that the eligibility should be removed after 3 months of reject rates greater than 30%. It should be noted, that for Tier 1 damages, SWBT is required to pay after only 1 month of</p>	<p>However, WCOM does not understand how SWBT can state "This volume of rejects could be completely eliminated by the CLEC if they would use these tools". SWBT is aware of the problems facing CLECs regarding rejects. As a result, SWBT continues to work with CLECs via the CLEC User Forum and CMP to identify and resolve these reject issues. For these reasons, WCOM disagrees that a CLEC with a reject rate greater than 25% not being eligible for Tier 1 payments.</p> <p>WCOM disagrees with the benchmark being lowered to 95%.</p> <p>WCOM 5/3/01 comments:</p> <p>Based on staff's suggestion, it is unclear as to when exactly SWBT will be held accountable for delays in returning manual rejects. Concerns still exist that SWBT is counting manual rejects they sent in error in the CLEC manual reject rates. Also, in light of recently reinforced LSC policies regarding assistance in resolving CLEC manual rejects, WCOM is still in strong disagreement with the</p>	

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
				<p>unsatisfactory performance. Therefore, it is only appropriate that SWBT be excused from that requirement after each month of unsatisfactory CLEC reject rates in order to make this truly reciprocal. Otherwise, SWBT may be penalized for several months before being excused from payments due to CLECs' unsatisfactory performance.</p> <p>CLECs have been allowed sufficient time and have been provided sufficient tools to improve the accuracy of their LSRs. Implementing a 3 month delay in this condition is not necessary</p>	<p>revised business rules proposed by SWBT. Again, at the workshop, SWBT committed to provide WCOM a Six Month report showing monthly disaggregated results of LEX/EDI performance. WCOM respectfully requests that the report be provided prior to the next six-month review, so that WCOM can provide comments on the issue at the next review.</p> <p>Birch:</p> <p>Birch strongly disagrees with the 25% reject rate as a stipulation for Tier 1 payments. The aggregate reject rate for LEX is 36.3% and EDI is 20%. The difference in these results is due to the ability of EDI users to provide up front edits prior to submitting LSRs to SWBT. CLECs that use an EDI interface have the ability to use parsed CSR information as well as validate address against an MSAG database, thus greatly reducing the amount of rejected LSRs. CLECs that use LEX do not have the ability to populate LSRs with parsed CSR information and have to manually enter information into the LSR.</p>	

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
					<p>Additionally, LEX does not provide any up front edits to LSRs prior to submission to SWBT.</p> <p>Birch also experiences a significant number of invalid rejects from the LSC (LSR rejected when in fact no error was present on the LSR). Setting a benchmark for CLECs to obtain is difficult when invalid rejects that directly affect the results of this measurement are received.</p> <p>Also, the up front mechanized edits, contrary to SWBT's claims, have not improved since the last six month review. Using data from PM 9 (total rejects) and PM 10 (mechanized rejects), approximately 45% of rejects are manually returned to CLECs. This percentage is significantly higher than the 35% presented in the last six month review.</p>	
10.1	Levels Of Disaggregation	EDI and LEX (for reporting purposes only, aggregated for purposes of penalty)	None		<p>Agreed</p> <p>WCOM 5/3/01 comments: See WCOM comments in PM 5 re: SWBT's agreement to provide six-month report.</p>	
10.2 % of Orders	Exclusions	?? None	?? N and D service orders	SWBT agrees to investigate the elimination of the orders which are never eligible for	<p>Birch Proposed Change:</p> <p>In the last six month review,</p>	The Commission ordered the calculation to be based on Orders and not LSRs because

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
that Receive SWB-caused Jeop. Notifications				receiving jeopardy notifications (most D orders and any N order used as a file guide order are examples of these types of orders). This issue is currently being investigated it is SWBT's plan to have a proposal prior to April 24 th .	<p>CLECs envisioned this measurement to use the number of LSRs as the denominator. However, SWBT did not implement the measurement in that manner. Birch has the following proposal as a possible compromise: Referring to the three orders (C,D, and N) of the three order process, only the C order that is used to provision service can be jeopardized (Birch's review of raw data supports this finding). N and D orders are never jeopardized, so they should not be included in the denominator.</p> <p>AT&T 5/03/01 Comment:</p> <p>a schedule should be set for implementation of Birch's proposed change or of an alternative provided by SWBT and accepted by CLECs or Staff.</p>	<p>each order has one LSR but at least three service orders: one C, one N, and one D. Thus, if the calculation was based on the number of LSRs, all three of these service orders would be counted in the denominator, thereby skewing the data result. However, the Commission does agree with Birch that only the C order can be jeopardized. Therefore, N and D orders should not be included in the denominator.</p> <p>The Commission finds that SWBT shall implement this change no later than August 31, 2001.</p>
11	Mean Time to Return Mechanized Rejects		Delete		Agreed.	
11.1	Mean Time to Return Manual Rejects that are Received Electronically via LEX		Delete		<p>Agreed</p> <p>WCOM 5/3/01 comments: See WCOM comments in PM 5 re: SWBT's agreement to provide six-month report.</p>	

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
	or EDI					
11.2 Average SWB Caused Jeopardy Notifica- tion Interval	Exclusions	None	N and D service orders	SWBT agrees to investigate the elimination of the orders which are never eligible for receiving jeopardy notifications (most D orders and any N order used as a file guide order are examples of these types of orders). This issue is currently being investigated it is SWBT's plan to have a proposal prior to April 24 th .	<p>Birch Proposed Change:</p> <p>In the last six month review, CLECs envisioned this measurement to use the number of LSRs as the denominator. However, SWBT did not implement the measurement in that manner. Birch has the following proposal as a possible compromise: Referring to the three orders (C,D, and N) of the three order process, only the C order that is used to provision service can be jeopardized (Birch's review of raw data supports this finding). N and D orders are never jeopardized, so they should not be included in the denominator.</p> <p>AT&T 5/03/01 Comment:</p> <p>See PM 10.2.</p>	<p>Consistent with the above discussion, the Commission concludes that N and D orders should not be included in the denominator.</p> <p>The Commission finds that SWBT shall implement this change no later than August 31, 2001.</p>
12.1	Definition	Percent of posted (non-flow through) service orders submitted via LEX/EDI that are provisioned as requested on the CLEC submitted LSR.	Percent of completed (non-flow through) service orders submitted via LEX/EDI that are provisioned as requested on the CLEC submitted LSR.	.	Agreed	
12.1	Business Rule	This measurement compares all fields that can be compared mechanically (e.g. features, PIC, etc.) as submitted on the LSR to	This measurement compares all fields listed in Attachment 5 as submitted on the LSR to the associated service order that provisioned the requested services. SWBT commits to		Agreed	

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
		the associated service order that provisioned the requested services and posted to billing.	make a good faith effort to maintain the list in Attachment 5 with any new fields that can be compared mechanically (e.g. features, PIC, etc.) when those fields have a legitimate impact on the end user customer. .			
12.1	Calculation	(# of posted, non-flow through service orders with fields provisioned as ordered on the LSR's ÷ total non-flow through service orders posted * 100	(# of completed, non-flow through service orders with fields provisioned as ordered on the LSR's ÷ total non-flow through service orders completed * 100		Agreed	
12.1 % Provisioning Accuracy for non-flow through orders	Measure-ment Type	Tier 1 – High Tier 2 – None	Tier 1 – Medium Tier 2 – None	SWBT believes that the current level for damages is set too high. PM 12 currently measures the mechanized provisioning accuracy which is similar to PM 12.1 which measures provisioning accuracy for non-flow through orders. Pm 12 is set at a low level. Therefore SWBT believes a lesser level of payment is warranted on PM 12.1. Although a low level may be warranted based on PM 12, SWBT has proposed reducing the payment level from High to medium.	AT&T: AT&T submits that it is inappropriate to consider any reevaluation of the damages category to this measure, until SWBT has done more to implement it. Only one month's data has been reported for this measure. There is no basis to reevaluate the judgment made in setting these levels initially. Provisioning accuracy certainly is service-affecting. Errors in provisioning by SWBT have the potential to cause serious competitive harm to CLECs. If SWBT considers the measure to be overbroad in terms of the fields covered, it should raise that issue directly. Lowering	The Commission agrees with AT&T that provisioning accuracy is service-affecting and errors in provisioning have the potential to cause serious competitive harm to CLECs. Therefore, the Commission finds it appropriate to defer a final decision on this issue until the next six-month review, when the Commission will have more data to consider.

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
					<p>the potential sanctions for all violations of this measure is not justified, and it is not an appropriate remedy for the concern raised by SWBT's comments.</p> <p>WCOM:</p> <p>WCOM asks that those fields be identified that are not service impacting, so CLECs can fully understand the impact of this change.</p> <p>Birch:</p> <p>Birch and SWBT mutually agreed to the list of fields that would be captured for this measurement. One of the stipulations to be included in the list was the customer or service impact that would result from the discrepancy. In addition, the measurement is not due to be fully implemented until 2Q of 2001. The measurement type should not be changed for this six month review.</p>	
13.0 Order Process Percent Flow- through	Levels Of Disaggre- gation	?? EASE ?? LEX ?? EDI	?? EASE ?? Combined LEX/EDI	Flow through is dependent upon LASR not the interface. Since both LEX and EDI utilize LASR, it is more appropriate to look at flow through for LEX and EDI combined.	<p>AT&T:</p> <p>Subject to the views of Staff and other parties presented at this review, AT&T does not oppose this change.</p>	The Commission finds that this measure should continue to be disaggregated into separate EDI and LEX levels and should be reviewed at the next six-month review. Unlike the other measures

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
				<p>LSR entries and Business Rules do not vary between LEX and EDI. LEX and EDI simply are two different ways that a CLEC can pass ordering information. Once that ordering information is received then the LSR is validated for critical information in LASR and in MOG so that a service order can be created. If the request is not flow through eligible then it will fall out to the LSC for handling either in the LASR or MOG process. This happens with no regard to how the request was received (LEX/EDI), but because LASR/MOG is not designed to flow the request through.</p> <p>In reviewing the posted results for this measure over the months of October, November, and December, there is no indication that combining the results would skew them toward the higher volume orders placed in EDI. In the instances where we were below Benchmark for LEX, combining the LEX & EDI results would not have improved the results to above the Benchmark.</p> <p>In summary, flow through is not designed based on whether the order came in via</p>	<p>WCOM:</p> <p>Types of entries required on the LSR as well as processing business rules required in LEX and EDI are different. SWBT has shown poor performance for LEX in past months, and combining the performance results of the two applications would mask the performance of either application.</p> <p>WCOM 5/3/01 comments:</p> <p>WCOM's understanding from the discussions at the April workshops were that the performance results of PM 13 would continue to be reported with the disaggregation of LEX/EDI. If WCOM misunderstood, then again, at the workshop, SWBT committed to provide WCOM a Six Month report showing monthly disaggregated results of LEX/EDI performance. WCOM respectfully requests that the report be provided prior to the next six-month review, so that WCOM can provide comments on the issue at the next review.</p> <p>Birch:</p> <p>The LEX and EDI results</p>	<p>where the parties have agreed to combine LEX and EDI, this measure has shown markedly different results for EDI and LEX for the past few months, especially when viewing the recast data submitted by SWBT on May 15, 2001.</p>

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
				<p>LEX or EDI, but is based on Product type and Activity Requested. If for instance a UNE Loop Migration request is designed to flow through, then it will flow through regardless of whether the request was received via LEX or EDI.</p>	<p>consistently show about a 5% difference in performance for PM 13 (enough to report an out of compliance result for LEX for each of the last seven months). The difference could be associated with what types of services are being ordered through each system. Using the data from PM 5 prior to the last six month review, LEX is the predominant system used to order business services using UNE-P or resale (an average of 3,000 LSRs per month were considered complex for LEX versus little or no complex activity for EDI).</p> <p>Combining LEX and EDI for flow through will greatly skew the results toward the higher volume orders being placed via EDI (70% of orders are created via an EDI LSR). The Tier II measurement would no longer ensure flow through for the smaller providers who cannot develop or support an EDI interface.</p> <p>Birch 05/03/01 Comment: as discussed in the PM workshop and rationale used for combining LEX and EDI for other measurements, consistent performance and</p>	

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
					closely related processes for both interfaces should be the deciding factors in the decision to combine LEX and EDI. The flow through results for the past seven months indicate a significant difference in performance between LEX and EDI. These results should continue to be disaggregated until the performance measurement indicates consistent results.	
13 Order Process Percent Flow Through	Failure to implement in a manner that can demonstrate parity.				<p>IP: Rather than entering a long dialog on this topic, IP will let the record speak for itself. IP refers the Commission to three sources: (1) the transcript for the PM workshop, the September 30, 1997 Arbitration Award in the MegaArb including Appendix "B" pp. 10-12, and pages 171,172 and 181 from the Staff's final report in the Texas 271 proceeding. It is IP's understanding that the precedent suggest that SWBT's requirement is to create UNE flow through to the same extent their retail analogs. By excluding those order types that flow through EASE, the necessary comparison is removed.</p> <p>AT&T 5/03/01 Comment:</p> <p>See AT&T's separate</p>	<p>Consistent with discussions at the workshop and at previous Open Meetings, the Commission finds that the following steps shall be taken:</p> <p>?? SWBT shall change its mid-level document to reflect inclusion of all orders that would flow through EASE as explained by the CLECs, consistent with the business rule.</p> <p>?? SWBT shall apply damages or penalties retroactively, to the extent required.</p> <p>?? SWBT shall pay additional damages as necessary to reflect the changes in PM reporting results.</p> <p>?? SWBT shall cooperate with a Commission</p>

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
					<p>comments regarding SWBT's failure to implement the requirement that the PM 13 data for CLEC UNE-P orders include order types that would flow through EASE when a SWBT retail representative processes the equivalent retail POTS order, the impact on previously reported PM 13 data, and the appropriate action to be taken by the Commission..</p> <p>Birch 05/03/01 Comment:</p> <p>See Birch's separate comments regarding PM 13 implementation.</p>	with a Commission approved audit of this measure to review SWBT's failure to properly implement this measure and the steps it has taken to retroactively implement the measure correctly.
13 Order Process Percent Flow Through	Measure- ment Type	Tier 1 – Low Tier 2 – High	Tier 1 – Medium Tier 2 – High	SWBT disagrees with Birch's proposal to increase Tier 1 damages from Low to Medium. Flow through is not in and of itself customer impacting. An order which does not flow through can still be provisioned in a timely manner without any impact on the end user customer. If the lack of flow through causes a delay in provisioning, it will be captured in one of the provisioning measurements. Therefore, based on the guidelines used to establish the measurement type, clearly this measurement warrants at best a low classification.	<p>Birch suggested change:</p> <p>The flow through measurement is, in Birch's opinion, the most important measurement of SWBT performance and also representative of a CLEC's ability to compete. If an LSR flows through SWBT's OSS, the CLEC's and SWBT's cost to provision services dramatically drops. The measurement type for this measurement should be changed to reflect the importance of the process it is assessing.</p> <p>XO, WCOM, Rhythms and</p>	The Commission finds that no changes should be made to the measurement type at this time. This issue will be reevaluated at the next six-month review.

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
					McLeod: Agree that flowthrough is a critical measure of the efficiency of SWBT's OSS interface and should be accorded Tier I Medium status.	
13.1	Levels Of Disaggregation	?? EASE ?? LEX ?? EDI	?? EASE ?? Combined LEX/EDI		Agreed WCOM 5/3/01 comments: See WCOM comments in PM 5 re: SWBT's agreement to provide six-month report.	
14	Billing Accuracy		Delete		Agreed – Stop reporting for 6 months and then revisit.	Time Warner agreed to delete this metric for 6 months based on the condition that the exclusion of interconnection trunk orders in PMs 17 and 17.1 would be dropped. (See Time Warner's comments on 17/17.1 below.) It appears, however, that these metrics will not capture this data even after exclusion is lifted. Whereas PM 14 deals with billing accuracy vis -à-vis SWBT and the CLECs, PMs 17 and 17.1 are concerned with the posting of end-user service orders. The Commission, therefore, concludes that PM 14 should be retained and that prior to the next 6-month review, the parties determine whether information regarding interconnection trunk orders

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
						is captured elsewhere, in particular PM 15.
17 Billing Completeness			Delete Measurement	<p>SWBT is opposed at this time to deleting PM 17 and utilizing PM 17.1 for damages and assessments. Much like the CLEC discussion of PM 12 and 12.1, PM 17.1 has only been report for one month. It would be premature to shift reliance upon PM 17.1 until more data can be collected and analyzed. This issue should be considered at the next 6-month review which will provide additional data in order to make an informed decision. . (The following points should be noted:</p> <ol style="list-style-type: none"> 1) PM 17.1 measures SWBT's posting performance and suggests a level of service that is better than parity. The management of posting, for both retail and wholesale, is based on ensuring that the order posts prior to the next bill cycle. This is exactly what is measured in PM 17. For this reason, SWBT opposes the assignment of penalties to PM 17.1. 2) Many of the concerns raised by CLECs in arguing for PM 17.1, for instance, the inability to 	<p>Birch Proposed Change:</p> <p>See PM 17.1 rationale.</p> <p>Birch 05/03/01 Comment:</p> <p>PM 17.1 is a better indication of SWBT's performance for Billing Completeness. Timely posting of service orders ensures correct billing and timely updates to all SWBT systems.</p> <p>With respect to SWBT's restated position in point number 3 (b), SWBT does not seem to understand exactly what is being measured by PM 17 for CLECs. PM 17 only determines if the service orders have posted to the respective billing systems prior to SWBT rendering the CLEC bill to the CLEC. Birch review of raw data confirms the use of CLEC bill date and render date for PM 17. PM 17 in no way captures if bills are rendered to the end user after completion (as SWBT states). Under both measurements (17 & 17.1) the end user could be rendered a bill after conversion. PM 17.1 ensures that this situation is reduced</p>	<p>Except for TWTC, the CLECs seek to eliminate PM 17 and use a revised PM 17.1 to measure SWBT's performance regarding the posting of service orders. The Commission finds that PM 17 should be retained as diagnostic until the next 6-month review, in order to allow the Commission to validate the benchmark set in PM 17.1.</p>

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
				<p>issue mechanized trouble reports prior to posting, have been addressed by allowing LMOS records to update from the completed order instead of the posted order.</p> <p>3) Other issues raised in arguing for PM 17.1 were related to the potential for “double billing.” Without completely restating our position, there are 2 important points:</p> <p>a) Customers have never been held responsible for charges after the completion of their orders which converted them to an alternate provider.</p> <p>b) PM 17.1 does not capture the instances where a bill may be printed for a customer which includes a period of time after the completion of a conversion, instead PM 17 measures exactly that instance. It is possible that SWBT could post an order in 5 days and still print a bill for a</p>	<p>to a minimum.</p> <p>With March data, reported April 20th, SWBT has reported four consecutive months of compliance with the 95% benchmark for the 5-business day target. March performance indicated over 98% within 5-business days. PM 17.1 should be adopted as the Billing Completeness measurement.</p> <p>WCOM, TWTC, McLeod, Rhythms, and XO:</p> <p>Support the deletion of this measure if the proposed changes by Birch are implemented in 17.1.</p> <p>TWTC 5/3/01 comments:</p> <p>During the workshop, SWBT confirmed that PM 14 included interconnection facility. However, given that PM 14 will be deleted, TWTC respectfully requests that interconnection facility not be excluded from this metric. Additionally, TWTC agrees with SWBT that PM 17 should not be deleted at this time until more data has been reported under PM 17.1.</p> <p>IP:</p>	

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
				<p>period after completion of the conversion. For example, if the bill cycle for the end user is 3 days after the completion of the conversion, and the orders post 5 days after completion, we have met the requirement for PM 17.1, but still printed a “double bill.” However, under PM 17, we would have been required to post the orders by the 3rd day, prior to the bill cycle.</p> <p>For all of these reasons, SWBT expects that if this issue is raised in future PM reviews, it will oppose the change at those times as well.)</p>	<p>IP agrees with Birch</p> <p>XO and McLeod:</p> <p>Agrees with Time Warner that Interconnection not be excluded from this measure.</p>	
17.1 Service Order Posting	Definition	Number of Days for Service Order Posting at the 85, 90, and 95 Percentiles	Percentage of Service Orders posting with 5 days of service order completion.	AS discussed in PM 17 above, SWBT believes 17.1 should be left as is until the next 6-month review to allow additional data to be captured.	<p>Birch Proposed Change:</p> <p>The percentage of orders that post within five business days of service order completion is a better measurement of SWBT’s billing accuracy performance than PM 17. Timely posting of service orders reduces double billing for the end user and ensures timely billing to CLECs.</p>	The Commission concurs that the definition for this PM should be percent of service orders posting within five business days of service order completion.

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					<p>Birch Additional Comment:</p> <p>The three months of data captured for this measurement indicate that 5 business days is a fair and meaningful benchmark at the 95% level.</p> <p>IP:</p> <p>IP agrees with Birch</p>	
17.1 Service Order Posting	Business Rules	This measure includes all SORD orders and is created from the Posted Service Order Database (PSOD). This measurement will determine the number days to post a service order to CRIS or CABS billing system at the 85, 90 and 95 percentiles and the percentage of that posts within 5 business days. This measurement would include all SORD orders produced as a result of an LSR request (i.e., C, N, and D wholesale orders). The base for this measure is the total number of SORD service orders that post in a given month.	This measure includes all SORD orders and is created from the Posted Service Order Database (PSOD). This measurement will determine the percentage of service orders that post to CRIS or CABS billing system within 5 business days of service order completion. This measurement would include all SORD orders produced as a result of an LSR request (i.e., C, N, and D wholesale orders). The base for this measure is the total number of SORD service orders that post in a given month.	See Definition of 17.1 above.	<p>Birch Proposed Change:</p> <p>See rationale above.</p> <p>WCOM, TWTC, McLeod, Rhythms, and XO:</p> <p>Support the change proposed by Birch if the measurement type is changed as proposed by Birch.</p> <p>IP:</p> <p>IP agrees with Birch</p> <p>TWTC 5/3/01 comments:</p> <p>TWTC supports proposed changes by Birch. TWTC also respectfully requests that interconnection facility not be excluded from this metric.</p>	
17.1 Service	Calculation	85, 90 and 95 Percentile and the percentage of	The percentage of orders that post within 5 business days.	See Definition of 17.1 above.	<p>Birch Proposed Change:</p> <p>See rationale above.</p>	

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
Order Posting		orders that posts within 5 business days			IP: IP agrees with Birch	
17.1 Service Order Posting	Measure-ment Type	Diagnostic	Tier 1 – Low Tier 2 - Medium	See Definition of 17.1 above.	Birch Proposed Change: See rationale above. IP: IP agrees with Birch	<u>Measurement Type</u> SWBT wishes to keep PM 17.1 diagnostic because only one month's data has been captured and reported. The Commission notes that four months data has been reported, and the lowest posting percentage for either CRIS or CABS is 95%. The Commission finds, therefore, that this measurement be changed from diagnostic to: <u>Tier 1 – Low; Tier 2 – Medium</u> The Commission also approves the following benchmark: <u>95% Service Orders posted within 5 days of service order completion with no allowance for Critical-Z.</u>
19	Definition	Usage information is sent to the CLECs on a daily basis. This usage data must be sent to the CLEC within 6 work days in order to be considered timely.	Usage information is <u>made available</u> to the CLECs on a daily basis. This usage data must be sent to the CLEC within 6 work days in order to be considered timely.		Agreed	
19	Business Rules	The measure uses the actual EMI usage records that are sent to the	The measure uses the actual EMI usage records that are <u>made available</u> to the CLECs.		Agreed	

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
		CLECs.			
23	Percent Busy in the Local Service Center (LSC)		Delete		Agreed – Stop reporting for 6 months and then revisit.	
26	Percent Busy in the Local Operations Center (LOC)		Delete		Agreed – Stop reporting for 6 months and then revisit.	
30 % Company caused missed due dates due to lack of facilities	Levels of Disaggregation	<p>POTS</p> <p>?? Business class of service</p> <p>?? Residence class of service</p> <p>POTS / UNE Combination</p> <p>?? > 30 calendar days</p> <p>?? > 90 calendar days</p>	<p>POTS</p> <p>?? Business class of service</p> <p>?? Residence class of service</p> <p>POTS / UNE Combination</p> <p>??</p>	<p>SWBT rationale for the elimination of the % Missed due dates due to lack of facilities (>30 days) and (> 90 days)</p> <p>This proposal would eliminate the following 50 sub-measures for each market area.</p> <p>PM 30-04 thru 30-09 PM 47-09 thru 47-24 PM 60-15 thru 60-42</p> <p>There are so few cases where there are missed due dates due to lack of facilities that are greater than 30 or 90 days, that the elimination of these sub-measures would provide more concise reporting of useful information.</p> <p>During the 12 months ending February 2001, there were a</p>	<p>AT&T 5/03/01 Comment:</p> <p>SWBT agreed at the 4/5/01 workshop to retain reporting of the missed due date for lack of facilities measures on a diagnostic basis. Tr. 340. It appears that, having agreed to retain those measures, SWBT now has decided to propose eliminating two submeasures (i.e., for missed due dates due to lack of facilities where the due date has been missed more than 30 and more than 90 days). While AT&T would take exception to a new substantive proposal at this point in the process, if adequate opportunity for CLEC and Staff review and input could not be assured, AT&T agrees that the elimination of these subcategories will remove numerous submeasure reports</p>	<p>The parties have agreed to keep this measure as diagnostic, but SWBT has proposed to eliminate disaggregations for (>30 days) and (> 90 days). The CLECs agree to this, but note that SWBT should retain the raw data for the disaggregated portions. The Commission agrees that this measure should remain diagnostic. SWBT shall not report (>30 days) and (> 90 days), but shall retain this data in case CLECs want to compare raw data if subsequent issues arise.</p>

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
				total of 666 missed due dates that were greater than 30 days and 50 missed due dates that were greater than 90 days. When one considers that there are 50 sub-measures, for 9 market regions, for 12 months, the average number of monthly misses > 30 days for all CLECs combined per sub-measure per market region was 0.12 misses; and the average number of monthly misses > 90 days for all CLECs combined per sub-measures per market region was 0.0093 misses.	<p>for which the historical data has contained very little or no activity. Accordingly, AT&T does not oppose the proposed change.</p> <p>Birch 05/03/01 Comment:</p> <p>Birch is not opposed to reducing the sub-measures for this measurement.</p> <p>XO and McLeod 05/03/01 Comment:</p> <p>While we take issue with SWBT introducing a new proposal to eliminate additional submeasures after the close of the workshop, 1) as long as raw data can be used to easily capture the >30, >90 occurrences, and 2) if we agree to revisit the removal of this disaggregation in six months, we do not oppose the removal of this measure. Sadly, upon being informed that there may be a lengthy wait for service due to SWBT's lack of facilities, a potential CLEC customer is not likely to wait 1-3 months for service; rather they will cancel the order with the CLEC immediately. This, along with the lack of parity shown in DS1 Loop Lack of Facilities Measures (related Measure 60 in both</p>	

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					<p>Houston and Dallas shows lack of parity for 10 of 12 months) indicates that this continues to be a problem for CLECs.</p> <p>XO has also become concerned regarding the accuracy of this measure due to information gathered after the close of the workshop. A due date is not counted as “missed” until the facilities are finally provisioned or until the order is cancelled. However, if a due date is pushed out (due to lack of facilities or other reason) and the customer requests a new due date, different from the one suggested by SWBT, the order must be “supped” by the CLEC. If the order is “supped,” it is our understanding that the missed due date is not captured. XO has attempted to meet with SWBT on this issue, but has yet not been afforded a meeting with qualified SMEs to discuss. XO would like to place this issue (which applies to all missed due date measures, not just lack of facilities measures) on the agenda for the next 6-month review. In the meantime, XO will continue to request a meeting with qualified SWBT personnel to address</p>	

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
					the issue.	
31	Average Delay Days For Missed Due Dates Due To Lack Of Facilities		Delete		Agreed	
32	Exclusions	?? Excludes orders that are not N, T, or C. ?? Excludes company delayed orders as a result of lack of facilities.	?? Excludes orders that are not N, T, or C.		Agreed	
36	Percent No Access (Service Orders with No Access)		Delete		Agreed	
39	Levels of Disaggregation	POTS ?? Business class of service ?? Residence class of service ?? Dispatch ?? No Dispatch ?? Affecting Service ?? Out of Service UNE Combination ?? Dispatch ?? No Dispatch ?? Affecting Service ?? Out of Service	POTS ?? Business class of service ?? Residence class of service ?? Dispatch ?? No Dispatch ?? Affecting Service ?? Out of Service (Diagnostic) UNE Combination ?? Dispatch ?? No Dispatch ?? Affecting Service ?? Out of Service (Diagnostic)		Agreed	
39	Benchmark	POTS – Parity with SWBT Retail. UNE Combination –	POTS – Parity with SWBT Retail. UNE Combination – Parity		Agreed AT&T 5/03/01 Comment:	

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
		Parity with SWBT Business and Residence combined.	with SWBT Business and Residence combined. Out of Service for POTS and UNE Combo will be diagnostic. Damages and assessments will be applied in PM 40.		see AT&T's separate comments regarding the failure to accurately update records in SWBT's LMOS database when CLEC orders are processed, the impact that the problems has had on this and other measurements, and appropriate action to be taken by the Commission.	
40	Measure-ment Type	Tier 1 - Medium Tier 2 - None	Tier 1 – High Tier 2 – High		Agreed AT&T 5/03/01 Comment: see AT&T's separate comments regarding the failure to accurately update records in SWBT's LMOS database when CLEC orders are processed, the impact that the problems has had on this and other measurements, and appropriate action to be taken by the Commission.	
47 % Missed Due Dates Due to Lack of Facilities	Levels of Disaggregation	?? See Measurement No. 43 ?? Reported for > 30 calendar days & > 90 calendar days.	?? See Measurement No. 43 ??	SWBT rationale for the elimination of the % Missed due dates due to lack of facilities (>30 days) and (> 90 days) This proposal would eliminate the following 50 sub-measures for each market area. PM 30-04 thru 30-09 PM 47-09 thru 47-24 PM 60-15 thru 60-42 There are so few cases where there are missed due dates	AT&T 5/03/01 Comment: See PM 30. XO and McLeod 05/03/01 Comment: See PM 30.	The parties have agreed to keep this measure as diagnostic, but SWBT has proposed to eliminate disaggregations for (>30 days) and (> 90 days). The CLECs agree to this, but note that SWBT should retain the raw data for the disaggregated portions. The Commission agrees that this measure should remain diagnostic. SWBT shall not report (>30 days) and (> 90 days), but shall retain this data in case CLECs want to compare raw data if

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				<p>due to lack of facilities that are greater than 30 or 90 days, that the elimination of these sub-measures would provide more concise reporting of useful information.</p> <p>During the 12 months ending February 2001, there were a total of 666 missed due dates that were greater than 30 days and 50 missed due dates that were greater than 90 days. When one considers that there are 50 sub-measures, for 9 market regions, for 12 months, the average number of monthly misses > 30 days for all CLECs combined per sub-measure per market region was 0.12 misses; and the average number of monthly misses > 90 days for all CLECs combined per sub-measures per market region was 0.0093 misses.</p>		subsequent issues arise.
48	Delay Days for Missed Due Dates Due to Lack of Facilities		Delete	.	Agreed	
54	Benchmark	Tier 1 – Low Tier 2 - None	Tier 1 – None Tier 2 - None		Agreed	
54.1	NEW		See Attached PM		Agreed	
55	Exclusions	?? Specials and Interconnection	?? Specials and Interconnection Trunks.		Agreed	

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
		<p>Trunks.</p> <p>?? Excludes UNE Combos captured in the POTS or Specials measurements.</p> <p>?? Exclude orders that are not N, T, or C.</p> <p>?? Excludes customer requested due dates greater than "X" business days as set out in benchmark measures below.</p> <p>?? Excludes customer caused misses.</p> <p>?? Excludes Weekends and Holidays.</p> <p>?? Excludes circuits in PM 55.2</p> <p>?? Excludes expedites for which the CLEC pays an expedite charge.</p> <p>?? Excludes xDSL loops in PM 55.1.</p>	<p>?? Excludes UNE Combos captured in the POTS or Specials measurements.</p> <p>?? Exclude orders that are not N, T, or C.</p> <p>?? Excludes customer requested due dates greater than "X" business days as set out in benchmark measures below.</p> <p>?? Excludes customer caused misses.</p> <p>?? Excludes Weekends and Holidays.</p> <p>?? Excludes circuits in PM 55.2</p> <p>?? Excludes expedites for which the CLEC pays an expedite charge.</p> <p>?? Excludes xDSL loops in PM 55.1.</p> <p>?? <u>Excludes any incremental days attributable to the CLEC after the initial SWBT caused delay. Does not exclude No Access attributable to the end user after the initial due date has been missed by SWBT.</u></p>			
55	Business Rule	The Application Date is the day that the customer initiated the service request. The Completion Date is the day that SWBT personnel complete the service order	The Application Date is the day that the customer initiated the service request. The Completion Date is the day that SWBT personnel complete the service order activity. The base of items is		Agreed	

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
		activity. The base of items is out of WFA (Work Force Administration) and it is reported at a circuit level (except 8.0dB loops at an order level.)	out of WFA (Work Force Administration) and it is reported at an order level.			
55	Calculation	[? (completion date – application date)] ÷ (Total number of circuits orders completed)	[? (completion date – application date)] ÷ (Total number of orders completed)		Agreed	
55.1, 56, 58, 59, 60, 61, 62, 63, 65, 65.1, 66, 67, 69	AT&T Proposed Change – levels of disaggregation		SWBT would propose to put a statement in the General Business Rules Section to address AT&T's concern. SWBT would propose the following language: SWBT and the parties will work together to determine the appropriate levels of disaggregation to be used with line splitting once the process has been sufficiently developed to determine the appropriate performance measurement implementation. The anticipated measurements that will be impacted are: 55.1, 56, 58, 59, 60, 61, 62, 63, 65, 65.1, 66, 67 and 69.		Agreed	
55.1	Exclusions	?? Exclude orders that are not N, T, or C. ?? Excludes customer requested due dates greater than the standard offered interval	?? Exclude orders that are not N, T, or C. ?? Excludes customer requested due dates greater than the standard offered interval ?? Excludes customer		Agreed	

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		<p>?? Excludes customer caused misses.</p> <p>?? Excludes Weekends and Holidays.</p> <p>?? Excludes expedites (less than 3 days).</p> <p>?? Excludes Rejects for non-conformance as to PSD masks if, and only if, the CLEC requests such qualification on the LSR</p>	<p>caused misses.</p> <p>?? Excludes Weekends and Holidays.</p> <p>?? Excludes expedites (less than 3 days).</p> <p>?? Excludes Rejects for non-conformance as to PSD masks if, and only if, the CLEC requests such qualification on the LSR</p> <p>?? <u>Excludes any incremental days attributable to the CLEC after the initial SWBT caused delay. Does not exclude No Access attributable to the end user after the initial due date has been missed by SWBT.</u></p>			
55.4 Percent Provisioning Trouble Reports (PTR) on Line Sharing Orders	NEW		See attached PM	<p>SWBT Issues regarding Due Date minus 1:</p> <p>1) process came out of collaborative</p> <p>2) unique to this product</p> <p>3) Already measured on Due date - timeliness and quality</p> <p>4) Onerous to measure mechanically</p> <p>5) Current performance does not indicate need for measure</p> <p>6) Does not measure the service provided (we provide a line shared loop, the customer is not paying for the wiring in the Central Office separately).</p>	<p>IP/Rhythms:</p> <p>This proposed PM is necessary to measure whether SWBT is providing parity performance to CLECs. The due date minus one process was implemented to correct customer outage issues that were being experienced. For good reason, SWBT does not explain why it is appropriate to not measure this important process because the “process came out of collaborative.” Certainly, CLECs by participating in collaboratives are not implicitly waiving</p>	<p>The Commission finds that the CLECs and SWBT both expend resources under this process to ensure that the provisioning process works smoothly. The Commission finds that this measure should be adopted on a diagnostic basis, but modified from the current proposal. The logic of the measure should be written so that SWBT receives a “miss” for this measure <u>if it</u> does not correct the provisioning error by the Due Date (thus also missing the due date). However, if SWBT provisions the order</p>

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					<p>their right to parity treatment. The “unique to this product” complaint is equally without reason. Today we have measures that capture information relating to hot-cuts even though they are unique to that product. IP/Rhythms have appropriately limited the application of the measure to line sharing/splitting to account for any SWBT concerns.</p> <p>SWBT’s concern regarding the measurement of due date also misses the point. CLEC and potentially their customers are harmed when the due date minus one commitment is not met. IP/Rhythms simply propose a parity measure to assure that any harm they are forced to endure is not greater than that endured by SWBT’s data affiliate. SWBT’s issue regarding the difficulty to measure also defies reason. SWBT today logs incoming trouble tickets for numerous measures. The measurement for this measure, while slightly different, should not be more difficult or complicated.</p> <p>What should concern the Commission is the shotgun</p>	<p>correctly on the Due Date, then SWBT would not receive a “miss” for this measure. The Commission believes that this balances the CLECs’ expended resources with SWBT’s willingness to proactively catch provisioning troubles. If SWBT fails to catch the provisioning trouble, even after the CLEC has expended resources, the Commission believes that SWBT should be accountable. Therefore, following changes shall be made to the business rule:</p> <p>Definition: Measures the percent of DSL –capable circuits for which the CLEC submits a trouble report after 5pm on the day before the due date <u>and that are not provisioned correctly on the due date.</u></p> <p>Calculation: Count of line sharing orders for which the CLEC submits a trouble report after 5pm the day before the due date <u>and that are not provisioned correctly on the due date</u> divided by the total number of line sharing orders.</p>

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
					approach SWBT is taking to try to avoid this measure. Are there performance disparities that SWBT does not wish to report? Hopefully, by ordering this measure, any possible disparities will be cured long before the measure is implemented.	
55.5 Loop Acceptance Testing (LAT Completed)	NEW		See attached PM	SWBT believes that Rhythms unfairly characterized the PM they are proposing as being approved in Ameritech. SWBT has attached to its filing the actual PM as has been developed in Ameritech. As can be seen there are several significant differences. First in the levels of disaggregation the Ameritech proposal only includes DSL loops without lines sharing whereas the Rhythms proposal attempts to disaggregate by IDSL Loops, DSL loops with Line sharing as well as DSL loops without Line Sharing. Second, the measurement type in Ameritech was set at None for both Tier 1 and Tier 2 whereas Rhythms is proposing both Tier 1 and Tier 2 as High. Finally the Benchmark was set at 90% in Ameritech versus the Rhythms proposal of 98%. Clearly The Rhythms proposal brought forward in	IP/Rhythms: Submitted revision on 3/22 Rhythms/IP rejects SWBT proposal of Loop Acceptance on completion date rather than due date. Rhythms loads technicians based on due date. If LAT is not completed on or before due date CLECs lose both cost of testing technician as well as no knowledge of when the order will be completed. In other SBC regions LAT is performed on Plant Test Date (AIT =due date minus one, PB =due date minus 2). We believe that due date is a reasonable interval. Completion date is ambiguous. Rhythms/IP understand that SWBT believes there is a potential for a “double penalty” with this measure; however, it is worth noting that the CLECs are incurring a double harm. In addition to the harm that may result when a due date is	The Commission is persuaded that this should be measured, because the CLECs pay for this service. SWBT and the CLECs, however, have not agreed to a measurement type, proper disaggregation levels, or benchmark. The Commission finds that the benchmark should be set at 95% LAT completed on due date. This balances the interests of the CLECs and SWBT and is in line with most percentage benchmarks adopted by the Commission. In addition, the Commission finds that the disaggregations as proposed by the CLECs should be included. Any LAT that is available for the CLEC to purchase should be measured. Finally, although the Commission is persuaded that some damages should attach to this measure, the Commission is not persuaded that this measure is competition affecting. Therefore, the Commission finds that this measure should

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				<p>the SWBT 6-month review is not what was agreed to in Ameritech as was characterized by Rhythms.</p> <p>SWBT had been willing to accept the Ameritech measurement even though SWBT believes that there are certain issues which are inherently unfair. First this measurement is a duplicate of PM 58 which measures SWBT missed due dates . If SWBT misses the due date they will by definition miss this measurement since it measure the percent of time SWBT did acceptance completed on the due date. Clearly if SWBT misses the due date, there is no possible way that loop acceptance testing could be completed on the due date. If Rhythms is concerned that SWBT does acceptance testing a more appropriate measurement would be the percent of time acceptance testing is done prior to completion. This would then measure something different than PM 58. Secondly, since the measurement is new, we have attempted at least for the 1st 6-months to treat the PM as diagnostic to capture some data to make an informed decision on the benchmark.</p>	<p>also missed.</p> <p>Rhythms never denied that there are some differences between the measure proposed and the measure ordered in Ameritech. The point that Rhythms attempted to make at the workshop was that the concept of measuring loop acceptance, which SWBT had previously opposed, was accepted in the Ameritech region.. The Ameritech Performance Measurement that was presented at the Texas was not the accepted Ameritech PM but the initial request.</p> <p>The proposal to make the measure diagnostic is not acceptable. There already exists a performance record on this issue in other SBC states. Moreover, it is important to note that Rhythms has been forced to order loop acceptance as a defensive measure. Rhythms has no desire to incur the additional costs associated with ordering loop acceptance. Instead, SWBT's poor performance in DSL provisioning forced Rhythms to order loop acceptance testing and incur the additional costs.</p>	<p>be a Tier 1 – Medium and Tier 2 – none.</p>

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				Rhythms simply wants the measurement to be in the high category without any justification as to how this is customer impacting or competition impacting. Finally, the benchmark proposed by Rhythms is set based on no historical data and no support as to why it is appropriate to enable Rhythms to compete. A more reasonable approach would be to gather the data to see what the appropriate level would be based on historical data.		
56	Definition	Measure of circuits completed within the customer requested due date when that date is greater than or equal to the standard offered interval as defined in the CLEC manual or if expedited (accepted or not accepted), the date agreed to by SWBT.	Measure of orders completed within the customer requested due date when that date is greater than or equal to the standard offered interval as defined in the CLEC manual or if expedited (accepted or not accepted), the date agreed to by SWBT.		Agreed	
56	Exclusions	<p>?? Specials and Interconnection Trunks.</p> <p>?? Excludes UNE Combos captured in the POTS or Specials measurements.</p> <p>?? Exclude orders that are not N, T, or C.</p> <p>?? Excludes customer caused misses.</p>	<p>?? Specials and Interconnection Trunks.</p> <p>?? Excludes UNE Combos captured in the POTS or Specials measurements.</p> <p>?? Exclude orders that are not N, T, or C.</p> <p>?? Excludes customer caused misses.</p> <p>?? Excludes Weekends and Holidays</p>		Agreed	

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
		?? Excludes Weekends and Holidays ?? Excludes circuits captured in PM 56.1 (LNP With Loop)	?? Excludes orders captured in PM 56.1 (LNP With Loop)			
56	Calculation	Count of circuits installed within the customer requested due date ÷ total circuits) * 100	Count of orders installed within the customer requested due date ÷ total orders) * 100		Agreed	
59	Name	Percent Installation Reports (Trouble Reports) Within 30 Days (I-30) of Installation	Percent Installation Reports (Trouble Reports) Within X” calendar days, where “x” is 10 calendar days for 8db and stand alone DSL loops and 30 calendar days for all other UNEs, (I-10/30) of Installation		Agreed	
59	Definition	Percentage of UNEs that receive a customer trouble report within 30 calendar days of service order completion.	Percentage of UNEs that receive a customer trouble report within X” calendar days, where “x” is 10 calendar days for 8db loops and 30 calendar days for all other UNEs, of service order completion.		Agreed	
59	Exclusions	?? Specials and Interconnection Trunks. ?? Excludes UNE Combos captured in the POTS or Specials measurements. ?? Excludes trouble report received on the due date before service order completion. ?? Excludes trouble	?? Specials and Interconnection Trunks. ?? Excludes UNE Combos captured in the POTS or Specials measurements. ?? Excludes trouble report received on the due date before service order completion. ?? Excludes trouble tickets that are coded to Customer Premise Equipment,		Agreed	

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
		tickets that are coded to Customer Premise Equipment, Interexchange Carrier/Competitive Access Provider, and Informational ?? Excludes loops without test access - BRI ?? Excludes orders that are not N, T, or C. ?? Excludes DSL loops > 12Kf with load coils, repeaters, and/or excessive bridged tap for which the CLEC has not authorized conditioning unless coded to the Central Office. ?? Excludes PTRs as defined in PM 115 ?? Excludes trouble reports caused by lack of digital test capabilities on 2-wire BRI and IDSL capable loops where acceptance testing is available and not selected by the CLEC.	Interexchange Carrier/Competitive Access Provider, and Informational ?? Excludes loops without test access - BRI ?? Excludes orders that are not N, T, or C. ?? Excludes DSL loops > 12Kf with load coils, repeaters, and/or excessive bridged tap for which the CLEC has not authorized conditioning unless coded to the Central Office. ?? Excludes PTRs as defined in PM 115 ?? Excludes trouble reports caused by lack of digital test capabilities on 2-wire BRI and IDSL capable loops where acceptance testing is available and not selected by the CLEC. ?? Excludes trouble reports for DSL stand alone Loops caused by the lack of loop acceptance testing between CLEC and SWBT due to CLEC reasons on the due date.			
59	Business Rule	A trouble report is counted if it is received within 30 calendar days of a service order completion. UNEs are	A trouble report is counted if it is received within "X" calendar days, where "x" is 10 calendar days for 8db loops and 30 calendar days		Agreed	

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
		selected based on a specific service code off of the circuit ID. This measurement is reported at a circuit level. The denominator for this measure is the total count of circuits posted within the reporting month. (However, the denominator will at a minimum equal the numerator). The numerator is the number of trouble reports received within 30 calendar days of service order completion that were closed during the reporting month.	for all other UNEs, of a service order completion. UNEs are selected based on a specific service code off of the circuit ID. This measurement is reported at a circuit level. The denominator for this measure is the total count of circuits posted within the reporting month. (However, the denominator will at a minimum equal the numerator). The numerator is the number of trouble reports received within "X" calendar days, where "x" is 10 calendar days for and 30 calendar days for all other UNEs, calendar days of service order completion that were closed during the reporting month.			
59	Calculation	(Count of UNEs that receive a customer trouble report within 30 calendar days of service order completion ÷ total UNEs) * 100	(Count of UNEs that receive a customer trouble report within "X" calendar days, where "x" is 10 calendar days for 8db and 30 calendar days for all other UNEs, calendar days of service order completion ÷ total UNEs) * 100		Agreed	
60 % Missed Due Dates Due to Lack of Facilities	Report Structure	Reported by CLEC, all CLECs and SWB affiliate Reported for > 30 calendar days & > 90 calendar days	Reported by CLEC, all CLECs and SWB affiliate	SWBT rationale for the elimination of the % Missed due dates due to lack of facilities (>30 days) and (> 90 days) This proposal would eliminate the following 50	AT&T 5/03/01 Comment: See PM 30. XO and McLeod 05/03/01 Comment: See PM 30.	The parties have agreed to keep this measure as diagnostic, but SWBT has proposed to eliminate disaggregations for (>30 days) and (> 90 days). The CLECs agree to this, but note that SWBT should retain the

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
				<p>sub-measures for each market area.</p> <p>PM 30-04 thru 30-09 PM 47-09 thru 47-24 PM 60-15 thru 60-42</p> <p>There are so few cases where there are missed due dates due to lack of facilities that are greater than 30 or 90 days, that the elimination of these sub-measures would provide more concise reporting of useful information.</p> <p>During the 12 months ending February 2001, there were a total of 666 missed due dates that were greater than 30 days and 50 missed due dates that were greater than 90 days. When one considers that there are 50 sub-measures, for 9 market regions, for 12 months, the average number of monthly misses > 30 days for all CLECs combined per sub-measure per market region was 0.12 misses; and the average number of monthly misses > 90 days for all CLECs combined per sub-measures per market region was 0.0093 misses.</p>		raw data for the disaggregated portions. The Commission agrees that this measure should remain diagnostic. SWBT shall not report (>30 days) and (> 90 days), but shall retain this data in case CLECs want to compare raw data if subsequent issues arise.
61	Average Delay Days for Missed		Delete		Agreed	

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
	Due Dates Due to Lack of Facilities					
62	Exclusions	<p>?? Specials and Interconnection Trunks.</p> <p>?? Excludes UNE Combos captured in the POTS or Specials measurements.</p> <p>?? Excludes orders that are not N, T, or C.</p>	<p>?? Specials and Interconnection Trunks.</p> <p>?? Excludes UNE Combos captured in the POTS or Specials measurements.</p> <p>?? Excludes orders that are not N, T, or C.</p> <p>?? <u>Excludes any incremental days attributable to the CLEC after the initial SWBT caused delay. Does not exclude No Access attributable to the end user after the initial due date has been missed by SWBT.</u></p>		Agreed	
63	Percent SWBT Caused Missed Due Dates > 30 days		Delete		Agreed	
65.1	Definition	The number of customer trouble reports within a calendar month per 100 UNEs.	The number of customer trouble reports <u>exclusive of</u> installation and repeat reports within a calendar month per 100 UNEs		Agreed	
65.1	Calculation	{Count of trouble reports ? (Total UNEs ? 100)}	{Count of trouble reports less installation and repeat reports ? (Total UNEs ? 100)}		Agreed	
70	Exclusions	<p>?? Excludes Weekends and Holidays</p> <p>?? CLECs have trunks busied-out for</p>	<p>?? Excludes Weekends and Holidays</p> <p>?? CLECs have trunks busied-out for</p>		Agreed	

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
		<p>maintenance at their end, or have other network problems that are under their control.</p> <p>?? SWBT is ready for turn-up on Due Date and CLEC is not ready or not available for turn-up of trunks, e.g. not ready to accept traffic from SWBT on the due date or CLEC has no facilities or equipment at CLEC end.</p> <p>?? CLEC does not take action upon receipt of Trunk Group Service Request (TGSR) or ASR within 3 business days (day 0 is the business day the TGSR is emailed/faxed to the CLEC) when a Call Blocking situation is identified by SWBT or in the timeframe specified in the InterConnection Agreement (ICA).</p> <p>?? If CLEC does not take action upon receipt of TGSR within 10 business days (day 0 as described above)</p>	<p>maintenance at their end, or have other network problems that are under their control.</p> <p>?? SWBT is ready for turn-up on Due Date and CLEC is not ready or not available for turn-up of trunks, e.g. not ready to accept traffic from SWBT on the due date or CLEC has no facilities or equipment at CLEC end.</p> <p>?? CLEC does not take action upon receipt of Trunk Group Service Request (TGSR) or ASR within 3 business days (day 0 is the business day the TGSR is emailed/faxed to the CLEC) when a Call Blocking situation is identified by SWBT or in the timeframe specified in the InterConnection Agreement (ICA).</p> <p>?? If CLEC does not take action upon receipt of TGSR within 10 business days (day 0 as described above) when a pre-service of 75% or greater occupancy situation is identified by SWBT or in the time frame specified in the ICA.</p>			

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
		<p>when a pre-service of 75% or greater occupancy situation is identified by SWBT for a time frame specified in the ICA.</p> <p>?? If CLEC fails to provide a forecast within the last six months unless a different timeframe is specified in an interconnection agreement.</p> <p>?? For trunks extending from the SWBT tandem to the CLEC end office designated as direct end office trunks, if CLEC's actual trunk usage for a market region, as shown by SWBT from traffic usage studies, is more than 25% above CLEC's most recent forecast for the market region, which must have been provided within the last six months unless a different timeframe is specified in an interconnection agreement.</p> <p>?? For trunks extending from the SWBT end office to the CLEC</p>	<p>?? If CLEC fails to provide a forecast within the last six months unless a different timeframe is specified in an interconnection agreement.</p> <p>?? For trunks extending from the SWBT tandem to the CLEC end office designated as final trunks, if CLEC's actual trunk usage for a market region, as shown by SWBT from traffic usage studies, is more than 25% above CLEC's most recent forecast for the market region, which must have been provided <u>within the last six months</u> unless a different timeframe is specified in an interconnection agreement <u>as long as the forecasts are received as described in the accessible letter.</u></p> <p>?? For trunks extending from the SWBT end office to the CLEC end office, if CLEC's actual trunk usage for a wirecenter or end office, as shown by SWBT from traffic usage studies, is more than 25% above CLEC's most recent forecast for</p>			

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
		<p>end office, if CLEC's actual trunk usage for a wirecenter or end office, as shown by SWBT from traffic usage studies, is more than 25% above CLEC's most recent forecast for the wirecenter or end office, which must have been provided within the last six months unless a different timeframe is specified in an interconnection agreement.</p> <p>?? The exclusions do not apply if SWBT fails to timely provide CLEC with traffic utilization data reasonably required for CLEC to develop its forecast or if SWBT refuses to accept CLEC trunk orders (ASRs or TGSRs) that are within the CLEC's reasonable forecast regardless of what the current usage data is.</p>	<p>the wirecenter or end office, which must have been provided <u>within the last six-months</u> unless a different timeframe is specified in an interconnection agreement <u>as long as the forecasts are received as described in the accessible letter.</u></p> <p>?? The exclusions do not apply if SWBT fails to timely provide CLEC with traffic utilization data reasonably required for CLEC to develop its forecast or if SWBT refuses to accept CLEC trunk orders (ASRs or TGSRs) that are within the CLEC's reasonable forecast regardless of what the current usage data is.</p>			
71	Benchmark	<p>PUC Subst. R. 23.61(e)(5)(A) or parity, whichever allows less blocking in a given month. SWBT shall</p>	<p>3% of trunk groups not to exceed 2% blocking. SWBT shall compare common trunk groups exceeding 1% blockage, reported for switch</p>		Agreed	

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
		compare common trunk groups exceeding 1% blockage, reported for switch based CLECs, be compared to SWBT's dedicated trunk groups designed for B.01 standard for parity compliance.	based CLECs, compared to SWBT's dedicated trunk groups designed for B.01 standard for parity compliance <u>(if a separate common transport trunk group is established to carry CLEC traffic only).</u>			
72	Distribution Of Common Transport Trunk Groups > 2%/1%		Delete		Agreed	
73 % of Installations Complete within the Customer Due Date	Benchmark	95% within the due date. Critical z-value applies		SWBT believes that the critical z is still appropriate for this measurement. Given that SWBT typically will miss all circuits in an order not a portion of the order, this allows SWBT some flexibility when the number of orders are few with large numbers of circuits on those orders. This is particularly in the midwest where volumes are not as large as Texas.	<p>TWTC:</p> <p>Does not support application of Critical Z. 95%. Given SBC's historical performance of this metric across the CLEC aggregate, a strict 95% standard provides enough flexibility without the need for the extra forgiveness the Critical Z affords.</p> <p>TWTC 5/3/01 comments:</p> <p>TWTC wishes to reiterate that SWBT's historical 99.5% aggregate average across all Texas market regions does not warrant application of the critical Z value for this metric.</p> <p>XO and McLeod comment: Supports TWTC.</p>	The Commission finds that Critical-Z should no longer apply to this metric. SWBT has provided three months of historical data showing that it significantly exceeds the 95% benchmark on a statewide basis. According to data submitted in Docket No. 20400, SWBT's historical 98.5% aggregate average across all Texas market regions does not warrant application of the Critical-Z for this metric.

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
					<p>AT&T 5/03/01 Comment:</p> <p>AT&T agrees that the reported historical data does not support continued application of the critical z-value. SWBT has reported meeting the 95% standard in each of the first three months of 2001 for Texas on a statewide basis. SWBT complains about potential application of the 95% standard in states where order volumes may be smaller. In fact SWBT benefits under this measure when it reports small transaction volumes. The “per occurrence” damages multiplier applicable under this measure (e.g., \$ 150 per occurrence) was arrived at primarily with reference to transactions affecting an individual end user. Applying that multiplier to missed due dates for one or a few trunk circuits that may affect service to many end users can be expected to undercompensate CLECs for the harm done and to represent no more than a nominal fine to SWBT. (And, on the other hand, when SWBT performance impacts many CLEC customers under the trunk blockage measure, SWBT’s</p>	

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
					liability is capped on a per measure basis). SWBT is not at risk for unfair damages liability under this measure. SWBT thus has not demonstrated why this measurement should be exempted from the general rule that eliminates application of the z-test to benchmark measures once a meaningful volume of historical data is available.	
73.1	Exclusions	Customer Caused Misses	Customer Caused Misses <u>Excludes any incremental days attributable to the CLEC after the initial SWBT caused delay.</u>		Agreed	
74	Exclusion	?? Customer Caused Misses	?? Customer Caused Misses ?? <u>Excludes any incremental days attributable to the CLEC after the initial SWBT caused delay.</u>	.	Agreed	
77	Exclusions	Customer Causes Outages	1) Customer Caused Outages 2) Non-measured tickets (CPE, Interexchange, or Information). 3) No access delayed maintenance.		Agreed	
80	Directory Assistance Average Speed Of Answer		Delete	.	Agreed.	
82	Operator Services		Delete	.	Agreed	

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
	Average Speed Of Answer					
96	Name	Percentage Pre-mature Disconnect for Stand alone LNP Orders	Percentage Pre-mature Disconnects for CHC/FDT Stand alone LNP Telephone Numbers.		Agreed	
96	Definition	Percentage of Stand Alone LNP telephone numbers where SWBT disconnects the customer (e.g. switch translations are removed) prior to the scheduled start time.	Percentage of Stand Alone LNP telephone numbers where SWBT disconnects the customer prior to the scheduled start time.		Agreed	
100	Average Time Out of Service for LNP Conversions		Delete		Agreed	
106	Average Days to Process a Request (Poles Conduits and Rights of Way)		Delete		Agreed	
108	Report Structure	Reported for individual CLEC and all CLECs by active and non-active as defined in the tariff, and SWB affiliate as appropriate.	Reported for individual CLEC, all CLECs and SWB affiliate as appropriate.		Agreed	
108	Benchmark	10% of the tariffed intervals. Critical z-value does not apply.	10% of the tariffed intervals. <u>The average delay days is compared to the weighted average of the different tariffed interval within the</u>		Agreed	

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
			<u>levels of disaggregation.</u> Critical z-value does not apply.			
110	Levels of Disaggregation	NONE	95% within 72 hours 95% within (X) hours (Diagnostic) 90% within (X) hours (Diagnostic)		Agreed	
110	Benchmark	95% updated within 72 hours. Critical z-value does not apply	95% updated within 72 hours. Critical z-value does not apply Diagnostic – 95% within (X) Hours Diagnostic – 90% within (X) Hours		Agreed	
111	Average Update Interval for DA Database for Facility Based CLECs		Delete		Agreed	
114	Measurement Type	Tier 1 - High Tier 2 - High	Tier 1 - None Tier 2 - None		Agreed	
114	Benchmark	?2% premature disconnects Critical z-value does not apply.	. See PM 115.2		Agreed	
114.1	Levels of Disaggregation	CHC LNP with loop ?? < 10 lines ?? 10-24 lines FDT LNP with loop ?? < 10 lines ?? 10-24 lines	CHC LNP with loop ?? 1-10 lines ?? 11-24 lines FDT LNP with loop (Diagnostic) ?? 1-10 lines ?? 11-24 lines		Agreed	
114.1	Definition					For reasons of clarity, the Commission finds that the

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						<p>definition should be changed to specifically include the established provisioning intervals that are merely referenced in PM 114.1:</p> <p><u>The % of CHC/FDT LNP with Loop Lines completed by SWBT within the established provisioning intervals of 60 minutes (1 – 10 lines) and 120 minutes (11 – 24 lines).</u></p>
114.1 CHC/FDT LNP w/ Loop Prov'ing Interval	AT&T Proposed Change Exclusion	?? IDLC (pair gain systems) identified on or before the due date.		<p>SWBT would add language to the exclusion to say “SWBT agrees to initiate a collaborative process to establish procedures in order to reschedule LNP conversions when IDLC situations occur. SWBT agrees to remove this exclusion when the process is implemented.”</p> <p>SWBT agrees to initiate the development of a process to measure a CHC when IDLC is encountered. The development will begin in April 2001 and the intent would be to include CLECs in a collaborative effort to finalize the process definition by the end of June 2001. Once the process has been finalized and implemented, the CLECs, SWBT will remove the IDLC exclusion</p>	<p>AT&T:</p> <p>AT&T never intended for loops on IDLC (pair gain systems) to be excluded indefinitely from these hot cut measures. AT&T recommends that a process be developed before this review is completed that enables SWBT to complete the field work associated with these loops per current procedure and still monitor the cutover interval and outages related to these coordinated cutovers.</p> <p>AT&T 5/03/01 Comment:</p> <p>SWBT's commitments regarding IDLC should be reflected in the revised business rule for this measure.</p> <p>XO and McLeod:</p>	<p>The parties agree that IDLC should not be indefinitely excluded and that once an agreed process is defined, tested, and implemented, the IDLC exclusion can be removed.</p> <p>The Commission, therefore, finds that the following paragraph should be added to the <u>Business Rule</u>:</p> <p><u>On or before June 30, 2001, SWBT and the CLECs shall file with the Commission a report regarding the collaborative efforts to define, test, and implement a process to handle conversions when IDLC situations occur (the IDLC Report);</u></p> <p>The Commission finds that the following language should be added to the <u>Exclusion IDLC</u> bullet:</p>

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				from the measurement.	Agrees with AT&T that accessible documentation is needed.	<u>Thirty calendar days after the filing of the IDLC Report as required in the Business Rule, the IDLC exclusion shall be considered deleted.</u>
114.1	Measure-ment Type	Tier 1 – None Tier 2 – None	Tier 1 – High Tier 2 – Medium		Agreed	
114.1	Benchmark	Diagnostic	95%, for CHC. FDT is diagnostic and is addressed in the combined measure 115.2		Agreed AT&T 5/03/01 Comment: As incorporated into proposed 115.2, reporting of 114.1 results for FDT will not be diagnostic but will be subject to Tier 1 high/Tier 2 high sanctions. AT&T assumes that SWBT's comment here means that SWBT will continue to report FDT data under PM 114.1, that that data reported there will be diagnostic, and that FDT PM 114.1 data also will be included in PM 115.2, where it will be subject to damages and Tier 2 assessments. AT&T agrees with the understanding expressed in the preceding sentence.	
114.2	NEW				Agreed to hold number open as a placeholder. Specific business rules to be developed later.	
115	Definition	Measures the percent of CHC/FDT circuits for which the CLEC submits a trouble report on the day	Measures the percent of CHC/FDT LNP with loop circuits for which the CLEC submits a trouble report on		Agreed	

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
		of conversion, or before noon on the next business day.	the day of conversion, or before noon on the next business day.			
115	Business Rule	The percent of CHC/FDT circuits for which the CLEC submits a trouble report on the day of conversion, or before noon on the next business day. PMs 55.2, 56.1, 58, 91 and 99 will include the PTRs that extend past the original due date in the calculation as appropriate. PMs 59, 69 and 98 will exclude PTRs from the calculation.	The percent of CHC/FDT LNP with loop circuits for which the CLEC submits a trouble report on the day of conversion, or before noon on the next business day. PMs 55.2, 56.1, and 58 will include the PTRs that extend past the original due date in the calculation as appropriate. PMs 59 and 69 will exclude PTRs from the calculation.		Agreed	
115 % Prov'ing Trouble	Exclusion	<p>?? Reports for which the trouble is attributable to the SWBT network (unless SWBT had knowledge of the trouble prior to the due date</p> <p>?? IDLC (pair gain systems) identified on or before the due date.</p>	<p>?? Reports for which the trouble is attributable to the SWBT network (unless SWBT had knowledge of the trouble prior to the due date</p> <p>?? IDLC (pair gain systems) identified on or before the due date.</p> <p>?? Excludes Non-measured reports (CPE, Interexchange, and Information reports).</p>	<p>Exclusion added to be consistent with PM 115.1</p> <p>See proposed language in PM 114.</p> <p>SWBT agrees to initiate the development of a process to measure a CHC when IDLC is encountered. The development will begin in April 2001 and the intent would be to include CLECs in a collaborative effort finalize the process definition by the end of June 2001. Once the process has been finalized and implemented, the CLECs, SWBT will remove the IDLC exclusion from the measurement.</p>	<p>AT&T:</p> <p>Subject to the views of Staff and other parties presented during this review, AT&T does not oppose this change.</p> <p>However, AT&T never intended for loops on IDLC (pair gain systems) to be excluded indefinitely from these hot cut measures. AT&T recommends that a process be developed before this review is completed that enables SWBT to complete the field work associated with these loops per current procedure and still monitor the cutover interval and outages related to these coordinated cutovers.</p> <p>AT&T 5/03/01 Comment:</p>	<p>The parties agree that IDLC should not be indefinitely excluded and that once an agreed process is defined, tested, and implemented, the IDLC exclusion can be removed.</p> <p>The Commission, therefore, finds that the following paragraph should be added to the revised <u>Business Rule</u>:</p> <p><u>On or before June 30, 2001, SWBT and the CLECs shall file with the Commission a report regarding the collaborative efforts to define, test, and implement a process to handle conversions when IDLC situations occur (the IDLC Report);</u></p>

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
					see PM 114. XO and McLeod: See comments on 114.1 exclusion above.	The Commission finds that the following language should be added to the <u>Exclusion</u> IDLC bullet: <u>Thirty calendar days after the filing of the IDLC Report as required in the Business Rule, the IDLC exclusion shall be considered deleted.</u>
115	Benchmark	Diagnostic	Diagnostic - See PM 115.2		Agreed	
115.1 Mean Time to Restore— Prov'ing Trouble Report	Exclusions	?? Excludes Non-measured reports (CPE, Interexchange, and Information reports.) ?? Excludes no access to the end user's location.	?? Excludes Non-measured reports (CPE, Interexchange, and Information reports.) ?? Excludes no access to the end user's location. ?? Reports for which the trouble is attributable to the SWBT network (unless SWBT had knowledge of the trouble report prior to the due date) ?? IDLC (pair gain systems) identified on or before the due date.	Exclusions added to be consistent with PM 115 See SWBT's proposal on PM 114. SWBT agrees to initiate the development of a process to measure a CHC when IDLC is encountered. The development will begin in April 2001 and the intent would be to include CLECs in a collaborative effort finalize the process definition by the end of June 2001. Once the process has been finalized and implemented, the CLECs, SWBT will remove the IDLC exclusion from the measurement.	AT&T: Subject to the views of Staff and other parties presented during this review, AT&T does not oppose this change. However, AT&T never intended for loops on IDLC (pair gain systems) to be excluded indefinitely from these hot cut measures. AT&T recommends that a process be developed before this review is completed that enables SWBT to complete the field work associated with these loops per current procedure and still monitor the cutover interval and outages related to these coordinated cutovers. AT&T 5/03/01 Comment: See PM 114. XO and McLeod:	<u>Title</u> The title of PM 115.1 needs to be revised to reflect the change from a mean average to a percentage: <u>% of Provisioning Trouble Reports (PTR) Completed in < 8 hours</u> <u>Exclusions</u> The parties agree that IDLC should not be indefinitely excluded and that once an agreed process is defined, tested, and implemented, the IDLC exclusion can be removed. The Commission finds that the following paragraph should be added to the <u>Business Rule</u> : <u>On or before June 30, 2001, SWBT and the CLECs shall file with the Commission a report regarding the collaborative efforts to define, test, and implement a</u>

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
					See comments on 114.1 exclusion above	<p><u>process to handle conversions when IDLC situations occur (the IDLC Report):</u></p> <p>The Commission finds that the following language should be added to the Exclusion IDLC bullet:</p> <p><u>Thirty calendar days after the filing of the IDLC Report as required in the Business Rule, the IDLC exclusion shall be considered deleted.</u></p>
115.1 Mean Time to Restore— Prov'ing Trouble Report	Benchmark	Diagnostic	< 8 hours	<p>See 115.1 Measurement Type</p> <p>SWBT has provided superior service in regards to Provisioning Trouble Reports on LNP with Loop conversions for both CHC and FDT. Requiring a percentage of the reports to exceed an 8 hour repair interval would in effect force SWBT to perfection in order to meet the proposed benchmark.</p> <p>Note: SWBT has not exceeded 9 PTRs in a given month in any state since this has been tracked. If we have to meet 95% within 8 hours then we never will due to the small volume of reports.</p>	<p>AT&T:</p> <p>AT&T believes that a benchmark of 95% within 8 hours would be more meaningful for this benchmark measure.</p> <p>AT&T 5/03/01 Comment:</p> <p>Where the applicable performance standard is a fixed benchmark, SWBT's performance measures consistently require SWBT to meet the required interval a fixed percentage of the time, rather than setting a benchmark for "average" performance. That is, under SWBT's measures, the Commission consistently has applied damages exposure to benchmark measures that take the form "% within X interval" rather than "average</p>	<p>The parties have agreed to change the benchmark from diagnostic to a fixed performance level. They disagree on the performance level to be set.</p> <p><u>Measurements</u></p> <p>The current measurements should be revised to account for the benchmark change. In an earlier matrix, AT&T agreed, subject to the views of Staff and other parties, to High/Medium for PM 115.1. The Commission finds that the Measurement Type should be set at: <u>Tier 1 – High; Tier 2 – Medium</u></p> <p><u>Benchmark</u></p> <p>For the following reasons, Staff recommends that the benchmark should be set at <u>95 % < 8 hours</u>.</p>

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
					<p>interval.”</p> <p>That principle applies here. It requires that, as sanctions are applied to what has been a diagnostic measure, the measure itself should be changed to “% PTRs restored within 8 hours.” SWBT complains that a 95% standard will somehow be impossible to meet if it must restore service on only a few PTRs each month. This is preposterous. Of course, SWBT need only restore service on each of the few PTRs within 8 hours in order to meet the standard. This is hardly holding SWBT to some unfair “perfection” standard.</p> <p>Rather, it would require that – if SWBT is in fact only faced with a few provisioning troubles during a month – SWBT respond to each of these serious unexpected outages and restore service reasonably promptly.</p> <p>Moreover, when SWBT’s actual performance is considered, it is clear that SWBT should be paying damages, even with only a few provisioning troubles being reported monthly. For example, in Texas, in February SWBT reported 2 PTRs for CHCs with an average time to restore</p>	<p>The Commission recognizes that timely resolution of service outages is critical, and any sub-standard performance is both customer and competition affecting. If excessive delay occurs in restoring provisioning troubles, CLECs experience a disproportionate impact of negative perception by it customers. When it occurs, customers are prone to migrate back to their historical provider, regardless of fault, and become reluctant to participate in the competitive marketplace. It is therefore imperative that service be provisioned and/or restored expeditiously.</p> <p>Absent a percentage based performance level, the PM essentially reverts back to being diagnostic.</p> <p><u>Calculation</u></p> <p>The Commission finds that the parties shall revise the Calculation to show percentage calculation for the benchmark.</p>

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
					<p>service of 552 hours; in March, SWBT reported 1 PTR for FDT and 505 hours to restore service. Texas Aggregate Data through March 2001, PM 115.1-01, 115.1-02. Plainly, SWBT should be paying damages for this performance, even if it missed the interval for restoring service on “only” one or two transactions.</p> <p>XO: Continues to have concern as to why provisioning trouble reports have not been documented and suggests that the process for defining a provisioning problem as a “provisioning trouble report” be documented in the business rules. This is a relatively new process and it is possible that better communication between SWBT and the CLECs at the time the trouble occurs could result in provisioning trouble reports being accurately tracked.</p>	
115.2 % of CHC/FDT LNP with Loop Lines Combined Average			New Measure - See Attached PM	SWBT proposes 7% for at least the first 6 months. This is due to the differences in what is being measured from what was in place when the FCC ruled (in BANY) that 5% outages was the goal. FDT was not a product being offered at that time. SWBT	<p>AT&T Proposes 5%.</p> <p>AT&T 5/03/01 Comment: AT&T had not understood that a separate 115.2 was going to be created to capture the application of the combined outage benchmark.</p>	<p><u>Title</u> The title of PM 115.2 should be changed. The new title should read:</p> <p><u>Combined Outage Percentage for CHC/FDT LNP w/ Loop Lines Conversions</u></p>

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
				<p>still believes that the process measured in 114.1 does not represent outages, only extended duration (or on-time) conversions which the FCC states only requires 90% to be considered minimally acceptable.</p>	<p>AT&T does not believe that applying the combined benchmark requires addition of a new measure, but does not oppose this approach if that is SWBT's preference. It should be clear that what actually is being accomplished here is not an expansion of the number of measures, but a consolidation of PM 114, 115, and part of 114.1 for damages purposes.</p> <p>As a matter of clarification, AT&T submits that the word "average" in the title of SWBT's proposed 115.2 should be "outage" and that the title might more clearly be "Combined Outage Percentage for CHC/FDT Conversions (LNP with loop lines)".</p> <p>To set the appropriate benchmark for PM 115.2, one fact must be recognized. Each category included within the proposed measure involves an unexpected interruption of service to the end user at the time it is converting its service to the CLEC via a coordinated loop with LNP conversion. That is just as true for "extended duration" outages for FDT conversions captured under 114.1 as it is for premature</p>	<p>The combined average of PMs 114, 114.1 (FDT), and 115 measures specific service outages. The Commission disagrees with SWBT's contention that an "extended duration conversion" under 114.1 (FDT) is not an outage. As SWBT acknowledges, such an extended cut (i.e., past the allowed 1 hour connect time) results in the customer having dial tone but not the ability to receive incoming calls. The Commission considers this to be an outage.</p> <p><u>Measurement Type</u></p> <p>The Commission finds that the measurement type should be set at <u>Tier 1 – High; Tier 2 – High</u>.</p> <p>The Commission further finds that the benchmark for this measure shall be set at 5%.</p>

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
					<p>disconnects under 114 or provisioning troubles under PM 115. For an FDT conversion, at one hour after the frame due time, SWBT's process recognizes that the CLEC can and will turn up service to its customer. If SWBT has not completed the conversion at that time (a "miss" under PM 114.1), the customer whose service has been activated by the CLEC may have dial tone, but will not have the ability to receive incoming calls (because the porting of its number has not been completed by SWBT). The loss of incoming calls is an "outage," and a particularly threatening form of outage to business customers, who primarily are the subject of these unbundled loop coordinated conversions. Tr. 259-68.</p> <p>Because the measure is limited to unexpected service outages, the 5% benchmark is appropriate under FCC precedent.</p> <p>Measurement Type: There also appears to be disagreement regarding the Measurement Type to be applied to the combined outage measure. PM 114 has been a Tier 1 High/Tier 2</p>	

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
					<p>High measure. PM 115 has been diagnostic. AT&T has proposed in this review that PM 115, too, be recognized as a Tier 1 High/Tier 2 High measure, since PM 115 is capturing unexpected service interruptions that can be just as customer- and competition-affecting as premature disconnects. For the same reasons discussed above, PM 114.1 late-completed FDT cutovers are “outages” in the same critical sense of unexpected end user service interruption at the time of converting service to a new provider. All of these should be treated as Tier 1 High/Tier 2 High, when they are combined into a single new measure as SWBT proposes with PM 114.2.</p> <p>(PM 114.1 itself can appropriately remain Tier 1 High/Tier 2 Medium as applied to the late-completed CHC cutovers, where the problems caused by SWBT’s delay are somewhat mitigated by the fact that SWBT and the CLEC will remain in communication during this more coordinated form of cutover.) AT&T has not opposed that classification.</p>	
120 % of	Percentage of Requests		Delete	There has not been sufficient activity to warrant the	AT&T:	The Commission recommends that this

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
Requests Processed Within 30 Business Days (BFRs)	Processed Within 30 Business Days (BFRs)			tracking of this measurement (5 in the last 12 months and none since September)	<p>AT&T opposes the proposed change. While the activity is limited, that fact may reflect continuing CLEC concern regarding the BFR process itself. For those occasions on which CLECs do attempt this process, tracking how well the process works, even if only from a timeliness standpoint, has value and appears to be a limited burden.</p> <p>WCOM:</p> <p>Agree</p> <p>TWTC, XO, and McLeod:</p> <p>Support keeping this metric as diagnostic. Support AT&T's rationale.</p> <p>IP:</p> <p>IP agrees with AT&T.</p>	measure should not be deleted and should remain diagnostic with no Tier 1 or Tier 2 sanctions. According to data submitted in Docket No. 20400, SWBT has received only 4 requests in the last twelve months. However, tracking how well the BFR process works, even if only from a timeliness standpoint, has value and appears to be a limited burden.
121 % of Quotes Provided for Authorized BFRs/Special Requests Within X (10, 30, 90) Days			Delete	There has not been sufficient activity to warrant the tracking of this measurement (2 in the last 12 months)	<p>AT&T:</p> <p>See comments on PM 120.</p> <p>WCOM:</p> <p>Agree</p> <p>TWTC, XO, and McLeod:</p> <p>Do not support eliminating this metric as this metric captures timely delivery of</p>	The Commission recommends that this measure should not be deleted and should remain diagnostic with no Tier 1 or Tier 2 sanctions. According to data submitted in Docket No. 20400, SWBT has received only 2 requests in the last twelve months. However, tracking how well the BFR process works, even if only from a timeliness

PM	CHANGE	CURRENT LANGUAGE	PROPOSED LANGUAGE	SWBT RATIONALE	CLEC COMMENTS	COMMISSION RULING
					<p>BFR/special request Quotes. Although activity level in this category may be low, delayed quote delivery can be significantly business impacting.</p> <p>IP:</p> <p>IP agrees with AT&T</p>	standpoint, has value and appears to be a limited burden.

Issue	SWBT's Comments	CLECs' Comments	Commission Ruling
Audit of Certain PMs	<p>PM 13—Flow-Through</p> <p>SWBT has interpreted the Business Rule for PM 13 to require an EASE-like comparison for resale and UNE/UNE-P orders submitted through LEX and EDI. With respect to resale orders, SWBT includes within the denominator for PM 13 all resale requests submitted via LEX or EDI, even though they are not LEX or EDI flow-through eligible, so long as such requests can flow through in EASE. With respect to UNE/UNE-P orders, SWBT also includes within the denominator all orders that are MOG eligible.</p> <p>As requested during the six-month review on April 4 and 5, SWBT agreed to identify the UNE/UNE-P order types that were not included in the denominator of PM 13. Because they are not MOG eligible, Suspend/Restore and Rearranges to Hunt Groups for UNE-P have not been included in the data reported for PM 13. Furthermore, in December 2000, SWBT learned that Record and Outside Move orders were being included within the denominator. However, because, neither of these types of orders is MOG eligible, in January 2001, SWBT began excluding both types of orders from the data reported for PM 13. (The best indicator of what orders should be MOG eligible is based on what CLECs generally demand, as measured by CLEC volumes.) As can be seen from the Attachment 5, SWBT has worked diligently to provide flow through capabilities for UNEs recognizing that the only other avenue to submit UNE requests is direct input into SORD, or manually via FAX. SWBT's focus has been on those activities, which impact the CLEC market. Order/Activity types such as Conversion, New, Disconnects, and Changes are designed to flow through. As the competitive market matures and changes, SWBT recognizes that there could be additional flow through Order/Activity types implemented in the future. The CLEC may request that additions to flow through capabilities be prioritized through the change management process.</p> <p>Given that the PMs are designed to capture SWBT's</p>	<p>PM 13—Flow-Through</p> <p>Birch:</p> <p>Birch considers the flow through measurement, PM 13, to be the most critical measure of SWBT's performance and also believes that it is representative of a CLEC's ability to compete. Birch would like to address a few of the flawed arguments raised by SWBT, intended to camouflage SWBT's implementation of PM 13, and reiterate the need for proper restatement and implementation of the flow-through measurement.</p> <p>SWBT has stated in meetings with Birch, the Six Month Review (see Six Month Review Transcript, Mr. Dysart: p. 195; lines 4-21), and in its most recent round of comments that PM 13 was implemented to only measure the flow-through of MOG eligible orders for UNE-P (SWBT 4/19/01 Comments, p. 8). SWBT's comments attempt to rationalize the implementation of PM 13 in this fashion by highlighting order types that are not MOG eligible but would flow-through EASE for SWBT's retail orders. (SWBT 04/19/01 Comments, p. 8). SWBT's conclusion that these order types are not material and do not adversely affect CLECs is troublesome. (SWBT 04/19/01 Comments, p.9)</p> <p>First, SWBT's analysis fails to mention all of the "major" order types that do not flow through for UNE-P. The flow-through matrix that SWBT filed with the April 19th comments, list as an exception to flow-through: LSR "ACT" (account activity type) of 'C' (change order) and an "LNA" (line activity) of 'P' (PIC change). (SWBT 04/19/01 Comments, Attachment 5). This exception indicates that PIC changes submitted by CLECs are not eligible to flow-through and therefore have been excluded from PM 13. Birch's review of the raw data confirms that SWBT is excluding PIC changes from the flow-through measurement. Second, SWBT's claim that CLECs "heard mostly loudly" are not CLECs that target customer with credit difficulties is also ominous. (SWBT 04/19/01 Comments, p. 9)</p> <p>While Birch does not directly target credit challenged</p>	<p>PM 13—Flow-Through</p> <p>The Commission finds that SWBT has not implemented PM 13 in accordance with the Business Rule, in that it has excluded UNE-P orders that are not MOG-eligible. A broader category of orders flow through EASE for SWBT retail POTS service, but when a CLEC using the UNE platform transmits the very same type of order to SWBT (e.g., restoral of service, PIC change) the fact that the order falls out for manual handling does not count against SWBT, because SWBT classifies them as non-MOG eligible. The Commission finds that SWBT has misinterpreted the business rule. SWBT shall include UNE-P orders that fall out in calculating the flow through percentage. The Commission finds that this PM should be audited. The cost of such audit shall be borne by SWBT. The reported data shall be restated based on the audit and also the audit shall validate the changes SWBT has implemented to comply with the business rule. The Commission finds that, based on the discrepancy of corrected data that overstated its performance delivered to CLEC, SWBT shall pay liquidated damages. Such damages shall be set at high level on a per occurrence basis without a measurement cap to individual CLECs. In addition SWBT shall also pay Tier-2 penalties based on the corrected data on a per occurrence basis.</p> <p>LMOS Issue</p> <p>The Commission finds that SWBT failed to update CLEC circuit data in LMOS database in a timely manner. Therefore, performance measurement data reported by SWBT understates a CLEC's trouble report rate and potentially overstates SWBT retail rate used for parity comparison. CLEC circuits for which the LMOS record was not properly updated also would be excluded from other maintenance related measures. Therefore, the Commission finds that SWBT shall implement a process to correct the problem within three</p>

Issue	SWBT's Comments	CLECs' Comments	Commission Ruling
	<p>performance in the market place as well as the impact on the end user, SWBT's interpretation of PM 13's references to "MOG eligible orders" is reasonable. For the same reasons, the order types that are currently not included in PM 13 need to be put into perspective. The primary order types not included in the PM calculations are suspend and restore orders. These orders temporarily suspend the customer's service at the CLECs' request (for example, due to the end users' failure to pay the CLEC or the use of vacation service) and then restore service (for example, once payment or payment arrangements have been made with the CLEC).</p> <p>The Commission has taken the position that PMs and performance penalties should spur the Company to improve its performance in customer or competition affecting areas, but should not be a revenue stream for the CLECs. There is no reason to believe that the inclusion of suspend and restore orders, record orders, and outside moves would either spur poor performance in these areas (as there is no claim of deficient performance) nor fairly compensate CLECs (who make no claim of competitive harm). Those CLECs whose market strategy consists entirely of targeting customers with credit difficulties have raised no complaints with the PM calculation. Rather the CLECs heard most loudly to complain about the exclusion of suspend and restore orders are not in this category. In fact, no CLEC has complained as to the ability of SWBT to manually handle any of the order types not included in the flow through PM. The Commission should conclude that, given the Business Rules as written and the intent of SWBT in interpreting it, SWBT acted appropriately and reasonably in implementing the measurement.</p> <p>LMOS Issue</p> <p>SWBT does not support an audit of the PM data that was discussed in the workshop. It is unnecessary and would consume costs and resources for all of the parties, including Staff. SWBT intends to implement a mechanized true up of the embedded base of CLEC end</p>	<p>consumers, Birch does place a significant amount of suspends and restoral orders. Further, the measurement was designed to determine parity for <i>all</i> orders, not just a subset of orders that SWBT arbitrarily chooses to represent SWBT's performance.</p> <p>SWBT continues to argue that no CLEC has claimed competitive harm and that no CLEC has claimed deficient performance for orders that do not flow through. (SWBT 04/19/01 Comments, p. 9). Again, this argument is troublesome to Birch. SWBT surely recalls the Informal Complaint filed by Birch in Project No. 21000, on June 26, 2000, that specifically addressed the quality of orders that do not flow-through. Perhaps SWBT needs to be reminded that the ultimate and best solution for this problem, proposed in Birch's Informal Complaint, is increased flow-through. Additionally, on February 22nd, 2001, Birch filed a change request within the Change Management Process to mechanize suspension and restoral orders. It is interesting to note that SWBT's response to the Birch change request is that the enhancement will be included in the POR release scheduled for September 2001. SWBT has since filed for arbitration to delay the POR release until March 2002.</p> <p>Birch urges the Commission to order SWBT to properly implement and restate this measurement consistent with the business rules, as previously ordered. This will allow the measurement, as designed, to determine if these omitted order types are in fact significant and ultimately determine if parity has been reached for this measurement. Birch strongly believes that only with the proper implementation and restatement of PM 13 can the Commission obtain an accurate representation of CLECs' ability to compete, not only in Texas, but also throughout the five-state region.</p> <p>AT&T:</p> <p>PM 13 measures the flow-through rate for electronic orders. From the workshop, and SWBT's subsequent comments, it is clear that SWBT has implemented PM 13 in a manner that overstates the rate at which UNE-P</p>	<p>months. In addition, the Commission finds it appropriate to audit the PMs reported and to note any discrepancy in reported data based on CLEC record. The auditor shall also validate SWBT's implementation of corrective actions. The cost of such audit shall be borne by SWBT. The audit shall be under the Commission's supervision. Based on the results of the audit, the Commission may award liquidated damages and penalties in proportion to the miss. The PMs that are subject to audit due to LMOS problems are as follows:</p> <p><u>PM 35 Percent POTS/UNE-P Trouble Report within 10 Days (I-10) of Installation</u></p> <p><i>PM 35.1 Percent UNE-P Trouble Reports on the Completion Date</i></p> <p><i>PM 37 Trouble Report Rate</i></p> <p><i>PM 37.1 Trouble Report Rate Net of Installation and Repeat Reports</i></p> <p><i>PM 38 Percent Missed Repair Commitments</i></p> <p><i>PM 39 Mean Time to Restore</i></p> <p><i>PM 40 Percent Out-Of-Service (OOS) <24 Hours</i></p> <p><i>PM 41 Percent Repeat Reports</i></p>

Issue	SWBT's Comments	CLECs' Comments	Commission Ruling
	<p>users in the LMOS database and reconcile and/or restate previously reported PMs for CLECs that may have been impacted as set forth below..</p> <p>SWBT was requested to provide a list of the PMs that utilize the LMOS database for reporting purposes. Below are the PMs that utilize this data:</p> <p><u>Resale POTS and UNE Loop and Port Combinations Combined by SWBT</u></p> <p>Percent POTS/UNE-P Trouble Report within 10 Days (I-10) of Installation</p> <p>PM 35.1 Percent UNE-P Trouble Reports on the Completion Date</p> <p>PM 37 Trouble Report Rate</p> <p>PM 37.1 Trouble Report Rate Net of Installation and Repeat Reports</p> <p>PM 38 Percent Missed Repair Commitments</p> <p>PM 39 Mean Time to Restore</p> <p>PM 40 Percent Out-Of-Service (OOS) <24 Hours</p> <p><i>PM 41 Percent Repeat Reports</i></p> <p>As discussed in the workshop, the CLEC end user line records are inventoried in the LMOS database and are used in the calculation of the number of trouble reports and the total count of lines in service for Resale POTS and UNE Loop and Port Combinations. In the PM data provided to SWBT by Birch, these records did not reflect the CLEC specific identifiers in the database in all instances. SWBT has taken corrective action to address this issue. The LMOS database is now updated by using the completed service order rather than the posted service order. This change was implemented for all states in the SWBT region by March 29, 2001.</p> <p>SWBT also instituted procedures to ensure trouble reports on all current accounts are accurately reported. Upon receipt of a CLEC trouble report that reflects an inaccurate customer line record, the Local Operations Center (LOC) immediately notifies the appropriate SWBT work group to update the LMOS database. With this update, the trouble report is properly counted in the PMs.</p> <p>SWBT is evaluating a means by which the embedded base of CLEC end users can be verified and updated in</p>	<p>orders flow through its systems without falling out for manual handling. Further, SWBT may be understating the flow-through rate for its own retail orders that is used as a parity standard.</p> <p>PM 13 calculates flow-through rate by counting "the number of orders that flow through SWBT's ordering systems and are distributed in SORD without manual intervention." This numerator is then divided by "the total number of MOG Eligible orders <i>and orders that would flow through EASE</i> within the reporting period." EASE is SWBT's retail ordering system, and SWBT's retail EASE flow-through rate provides the parity comparison that is used as the performance standard that SWBT must meet under PM 13.</p> <p>The italicized phrase – <i>orders that would flow through EASE</i> -- had been added to the business rule at the direction of the Commission, prior to version 1.6, in an effort to provide for a meaningful parity comparison. If a particular order type would flow through EASE when entered by a SWBT retail representative who was dealing with a POTS customer, then equivalent order types transmitted by CLECs would be included in the denominator of the flow-through measure and would count against SWBT if they fell out for manual handling, whether or not SWBT had classified that particular order type as "MOG Eligible" (i.e., expected to flow through SWBT's Mechanized Order Generator). During the April 4 workshop SWBT confirmed that, in implementing PM 13, it has construed the phrase "orders that would flow through EASE" as applying only to CLEC resale orders. That is, when SWBT calculates flow-through rates for UNE-P, the denominator only includes order types that SWBT has classified as MOG eligible. The result is an apples -to- oranges comparison, rather than a genuine parity test. The only CLEC orders that will "count" for flow-through purposes under SWBT's interpretation of PM 13 are those that SWBT has declared will flow through (i.e, are MOG eligible). A broader category of orders will flow through for SWBT retail representatives dealing with their POTS customers, but when a CLEC</p>	

Issue	SWBT's Comments	CLECs' Comments	Commission Ruling
	<p>LMOS with the accurate line record information. SWBT is still assessing a mechanized approach for performing the embedded base verification and is unable to provide a date for correcting any discrepancies, but commits to provide Staff with an update on the status of this effort in the near future. In the meantime, the processes outlined above ensure accurate counting of trouble reports on all CLEC accounts.</p> <p>SWBT has conducted a manually intensive investigation for December data to attempt to determine what impact the LMOS issue had on the PM data. The following describes the manual process that was used to find trouble tickets for Birch Telecom (Birch) that were coded incorrectly to SWBT or other CLECs due to inaccurate or missing Line Record information in the LMOS database.</p> <p>Step 1 - all service orders were pulled that were posted for Birch in Texas during the time period 11/20/2000 – 12/31/2000. Some key fields included in the results of this query were State Indicator, AECN, LSPID, SO Number, BTN and Post Date. The query returned 14,810 orders.</p> <p>Step 2 – all trouble tickets closed in the month of December 2000 were pulled for Texas that were classified as "Measured POTS" or "Measured UNE Combo." Key fields included in the results of this query were State Indicator, AECN, LSPID, Last SO Number, MAINTN, I-10 and R-10 flags. This query returned over 500,000 trouble tickets.</p> <p>Step 3 –the orders from Step 1 were matched to the trouble tickets from Step 2 using the SO Number from the order and Last SO Number of the trouble ticket. Matches belonging to LSPID 1087 (Birch) were eliminated from the match results. The remaining matches yielded 296 trouble tickets.</p> <p>Results - 296 trouble tickets that followed a Birch order were not coded to Birch. Of these, 260 were</p>	<p>using the UNE platform transmits the very same type of order to SWBT (e.g., restoral of service, PIC change) the fact that that order falls out for manual handling does not count against SWBT. The method by which SWBT has chosen to implement PM 13 does not provide meaningful information to any commission as to whether a CLEC is being provided access to OSS that is equivalent to what SWBT provides to its retail operations.</p> <p>SWBT's implementation of PM 13 is contrary to the plain language of the business rule. It provides vivid confirmation of the fact that SWBT has not accepted the principle that this Commission made explicit in the second Mega-arbitration in 1997 – that SWBT is accountable for providing wholesale support, such as electronic order processing, for CLECs who use UNE combinations, that is at parity with the wholesale support it provides to its retail operations which use the same network components to deliver equivalent competing services. SWBT's implementation of PM 13 is a candid revelation that SWBT still believes and acts as if it had no obligation to provide "UNE parity," because SWBT itself does not "do UNEs."</p> <p>SWBT's misreporting of PM 13 fully warrants a recommendation from Staff that SWBT's PM 13 data be subjected to a five-state audit, and it warrants acceptance of that recommendation by this Commission and in each of the other four states. SWBT's April 19 comments provide no basis for resolving this issue short of an audit. SWBT's efforts to characterize the measure as not customer-affecting are belied by CLECs' repeatedly expressing the view that flow-through is one of the most important measurements from a business impact standpoint. CLECs in fact have complained about the levels of manual order processing by SWBT and the associated problems caused for CLECs.</p> <p>SWBT's comments contain no restatement of any PM 13 data to show the impact caused by its exclusion from the UNE-P data of order types that would flow through EASE for SWBT retail. SWBT confirmed, in an Arkansas 271 hearing conducted after these comments</p>	

Issue	SWBT's Comments	CLECs' Comments	Commission Ruling
	<p>coded to SWBT, while 36 were coded to other CLECS.</p> <p>Once the 296 trouble tickets were found, the Birch PMs were re-run to determine the impact. This analysis indicates that for December the only measurement that was significantly impacted was PM 35-11 and 35-12, Installation Reports within ten days. For the remaining maintenance measurements, there was no shift from an in parity to out of parity condition. In fact, only one result shifted parity categories for these measurements in one market based on this restatement. PM 41 "Repeat Reports" in one market has been changed from missed to met.</p>	<p>had been filed, that it has not restated past PM 13 data to quantify the difference in reported flow-through rate resulting from this interpretation. Restatement of the data to correct SWBT's exclusion can only result in a reduction of the flow-through rate. By how much is unknown. What is known is that, even as currently stated, SWBT's flow-through performance over the LEX interface has shown repeated parity violations across the region. Indeed, SWBT now has acknowledged that, thanks to classification of PM 13 as a Tier 1 Low measure, 57% of the Tier 1 damages that have been excluded by operation of the K value in Texas are attributable to parity violations reported under PM 13-02 (Flow-through - LEX) and to one other measurement.</p> <p>Accordingly, the Commission should insist on a comprehensive restatement of SWBT's flow-through data under PM 13, to incorporate into the denominator for UNE-P orders all order types that would flow through EASE for a SWBT retail representative. That restatement should go at least back through all of 2000. This restatement should be accomplished or at least verified by an independent auditing organization. Once an authoritative restatement of the data has been accomplished, other enforcement action may be warranted.</p> <p>LMOS Issue Birch Communications</p> <p>Much has been discussed and argued surrounding the LMOS database issue identified by Birch in its March 16, 2001 Response in this docket. One resounding result throughout all of the arguments presented by CLECs and SWBT alike is that the database contains significant inaccuracies and the affected performance measurements as reported are inaccurate. In its comments, SWBT outlines for one CLEC for one month, the partial effect of the LMOS inaccuracies. (SWBT 04/19/01 Comments, pp. 6-7). The remaining portion of trouble tickets, not addressed by SWBT's example of December trouble tickets in the April 19th comments, should also be considered. SWBT's process</p>	

Issue	SWBT's Comments	CLECs' Comments	Commission Ruling
		<p>of accessing trouble tickets affected by the LMOS inaccuracy begins with querying all service orders from the end of November through the end of December. While this process will capture access lines that were converted or installed for the month of December, this process will not capture access lines converted or installed prior to November 2000 for which the LMOS record was not updated properly. The access lines not addressed by SWBT's investigation represents a significant number of access lines. Without assessing all of the trouble tickets not reported correctly, SWBT cannot predict the effects of all of the Repair and Maintenance measurements for the month of December. The main measurement that could be assessed for the month of December, trouble within ten days of conversion, SWBT concluded was significantly impacted by the findings of the investigation. (SWBT 04/19/01 Comments, p. 7).</p> <p>Birch continues to be concerned about SWBT's approach to updating the embedded base of CLEC access lines. The process of manually faxing information on the affected account to another department within SWBT to manually update the LMOS record is cause for concern. This process is not only manually intensive, but also must be completed prior to the closure of the trouble ticket, or again the trouble ticket will go unreported (or in many cases, reported for SWBT retail). In Birch's March 16, 2001 filing concerning the LMOS issue, Birch outlined a proactive process SWBT had implemented to check and update the embedded base of Birch access lines manually. It is with tremendous disappointment that Birch must report that SWBT has halted this process, in lieu of the reactive process of faxing another internal department referenced above.</p> <p>In May 2001, Birch conducted a sample of fifty access lines that were converted after the March 29th date that SWBT states fixed the going forward updates to the LMOS database. (SWBT 04/19/01 Comments, p. 6). Birch is again disappointed to report that the "fix," as intended and reported by SWBT, is not correctly</p>	

Issue	SWBT's Comments	CLECs' Comments	Commission Ruling
		<p>updating the LMOS database. Of the fifty access lines in the Birch sample, twenty-four did not have an updated LMOS record to reflect Birch as the local service provider. This result is even more disturbing considering the extensive testing SWBT indicated was performed to ensure the "fix" updated the LMOS record successfully. The results also indicate that SWBT is not monitoring the updates to this system to ensure that if the mechanized update fails, the record can be updated manually. After conducting this analysis, Birch is left in a state of confusion and disbelief. To the extent that Birch has only recently discovered that the "fix" has not resolved the problem, Birch has made SWBT aware of its findings and SWBT is in the process of evaluating the same. At such time when the parties are able to isolate the specific root cause, Birch would be pleased to update this record with that information, if the facts are materially different than what Birch has represented herein. Birch previously reported to the Commission in its March 16, 2001 filing, as well as at the Six Month Review that Birch appreciated the efforts taken by SWBT to identify the issues associated with the LMOS problem and the potential "fix" SWBT agreed to implement. Birch's appreciation of SWBT's efforts was based upon its understanding of the potential resolution presented by SWBT, as enumerated in Birch's March 16th filing. SWBT's subsequent implementation of the reactive process described above is contrary to how Birch was led to believe by SWBT how the LMOS problem would be addressed. Because it appears that SWBT has "throttled back" its proactive approach to fixing the embedded base problem, Birch can only conclude that SWBT is attempting to downplay a very serious legacy system flaw with significant Performance Measurement implications resulting therefrom. Birch asserts that all five state commissions should be troubled by SWBT's lack of consideration for an issue that could impact every CLEC throughout the region – both from an operational efficiency standpoint, as well as from a Performance</p>	

Issue	SWBT's Comments	CLECs' Comments	Commission Ruling
		<p>Measurement accuracy standpoint.</p> <p>Birch strongly believes that this Commission should, as discussed in the PM workshop, order an audit to be conducted of the LMOS system and the affected performance measurements. This audit will address the performance measurement related problems that have resulted from an inaccurate system and hopefully shed some light on possible fixes that SWBT can implement that will once and for all resolve the problem going forward. Birch further believes that, upon review of the audit findings, the Commission should require a recalculation of affected Performance Measurements and if further penalties are owed, SWBT should be ordered to pay the same.</p> <p>AT&T</p> <p>A second serious performance measurement implementation issue developed at the April 5 workshop. SWBT apparently has understated the rate at which CLECs report trouble on UNE combinations (and perhaps resale circuits) that are used to provide POTS service, as a result of a problem in the "LMOS" system that SWBT uses to manage maintenance trouble tickets. The LMOS database inventories SWBT's POTS facilities. The LMOS database is used for line testing and various maintenance and repair functions. When a CLEC requests maintenance information on a telephone number, it queries the LMOS database. From a performance measurement standpoint, LMOS is the source from which CLEC and SWBT retail trouble reports are counted.</p> <p>Birch pointed out its experience that, for a percentage of orders (and Birch primarily is using UNE-P at present), the order is processed by SWBT without LMOS being updated. Either the record of the telephone number is not in LMOS at all, or the record is not updated to show the CLEC's identifying number (AECN). Birch estimated that 20 to 35% of its access lines either do not have a record in the LMOS database or are incorrect. If the LMOS database is not updated at the time of a CLEC's order to accurately reflect the CLEC as the "owner" of the circuit, then a subsequent CLEC trouble</p>	

Issue	SWBT's Comments	CLECs' Comments	Commission Ruling
		<p>report will not be accurately captured in the measurements. If there is no record in LMOS at all, then the CLEC's trouble report will not be included in the performance data at all. If the LMOS record has not been updated to show that the CLEC is the local service provider for that particular number, then the CLEC's trouble report may be included in SWBT retail data (because the LMOS record incorrectly reflects SWBT as the provider). Thus, the impact of failure to update the LMOS records from a performance measurement standpoint would be to understate a CLEC's trouble report rate and potentially to overstate the SWBT retail rate used for parity comparison. CLEC circuits for which the LMOS record was not properly updated also would be excluded from other maintenance measures, e.g., mean time to restore, where the impact is less clear and remains unknown.</p> <p>SWBT acknowledged that in some cases LMOS records had not been updated correctly, and SWBT could not identify a pattern to those cases. SWBT maintained that it had fixed the problem on a going-forward basis. However, SWBT could not say whether it could restate performance data to correct past errors without requiring CLEC participation in costly reconciliation efforts.</p> <p>SWBT's April 19 comments only underscore the gravity of the LMOS issue. SWBT acknowledges that the LMOS problem affects several important provisioning and maintenance measurements. These include installation trouble report rate (PM 35), a measure added at the last six month review in an effort to capture outages during UNE-P conversions (PM 35.1), overall trouble report rate (PM 37, 37.1), mean time to restore (PM 39), and repeat report rate (PM 41), as well as others. SWBT April 19 Comments at 6. The degree to which the LMOS updating failures have caused SWBT to understate CLEC trouble reports is not merely unknown; SWBT cannot even provide a date by which it expects to have an assessment of that impact.</p> <p><i>Id.</i> SWBT's manual investigation of one month's data for Birch indicated that the LMOS issue caused SWBT</p>	

Issue	SWBT's Comments	CLECs' Comments	Commission Ruling
		<p>to misreport that its installation report rate for UNE-P combinations had met the parity standard. <i>Id.</i> at 7. And while restatement of past data has not progressed, there is not even any assurance that SWBT's action to correct the problem on a going-forward basis has been successful. On the contrary, a SWBT witness testified at the April 20 Arkansas 271 hearing that testing of the corrective action was not yet complete.</p> <p>After discussion of this issue at the April 5 workshop and an opportunity for deliberation, presiding Staff stated that "[o]ur recommendation in Texas is going to be that we do a five-state audit of those measures that would be affected by LMOS. And we will ask the other states to make a similar recommendation." As with PM 13, that recommendation is more than justified in the circumstances, and should be granted. CLECs long have complained that they experience outages and other troubles in significant quantity with UNE-P conversions. SWBT has pointed to low trouble report rates in its performance data in response. Now it is known that those trouble report rates have been understated, because some quantity of LMOS records were not updated to reflect that CLECs were now providing service over those lines. It should be presumed that this problem has affected all trouble report-based measures since they first were reported, at least as applied to UNE-P arrangements.</p> <p>CLECs should not bear the monetary or administrative burden of correcting performance measurement errors caused by SWBT. The monetary burden should be borne by SWBT, for the LMOS problem plainly is SWBT's responsibility, not CLECs'. The administrative burden here, as with PM 13, is best carried by an independent audit organization, preferably to conduct the assessment of the LMOS issue and the restatement of the past data, and alternatively to provide a meaningful verification of any restatement by SWBT. Further enforcement action will be ripe for consideration after the impact of the LMOS problem has been verified through an audited restatement of the affected measures.</p>	

Issue	SWBT's Comments	CLECs' Comments	Commission Ruling
Special Access Issue	<p>Worldcom requests that the Commission implement PMs assessing SWBT's provision of special access services to interexchange carriers (IXCs). The Commission should reject this request for the reasons stated below:</p> <p>?? Performance measurements adopted in connection with a Section 271 proceeding are meant solely to "provide valuable evidence regarding SWBT's compliance or noncompliance with individual (Section 271) checklist items" relative to wholesale services provided to CLECs (SBC Kansas/Oklahoma Order, para. 31). These measurements, and the checklist items to which they correlate, have nothing to do with SWBT providing retail special access services, under tariff, to IXCs.</p> <p>?? The Oklahoma Commission recently considered the issue of whether special access should be included within the interconnection agreement (O2A). They determined that "issues, which relate to the provisioning of long distance service, should not be included in this Agreement..." (Order of the OCC, Application of AT&T for Compulsory Arbitration of Unresolved issues with SWBT pursuant to § 252(B) of the Telecommunications Act of 1996, p. 3). PMs are included within the T2A as Attachment 17, and special access is the provisioning of long distance services. It simply follows that if issues related to long distance service are not included within the Agreement, then they certainly should not be included within the PMs, an attachment to that Agreement.</p> <p>?? The FCC determined in both its SBC Texas Order (para. 335) and Bell Atlantic New York Order (para. 340) that checklist compliance is not intended to encompass the provision of tariffed special access services. The FCC again reiterated</p>	<p>WCOM and TWTC respectfully urge the Commission to authorize performance measurements for special access services. With SWBT providing access services to its long distance affiliate, SWBT has the incentive to discriminate against unaffiliated long distance carriers. Indeed, WCOM and TWTC have experienced a deterioration in special access services since SWBT's long distance affiliate began selling long distance in Texas.</p> <p>Furthermore, at the April 5th workshop, several CLECs outlined why CLECs have to order special access to provide local service in Texas. For example, if SWBT disputes the availability of a particular network element, CLECs are forced to order the network element as special access. In other instances, facilities for special access are available when the equivalent facilities for network elements are not. Finally, CLECs have stated in past 271 workshops that the ordering and provisioning systems for special access are often more reliable than the equivalent systems for network elements.</p>	<p>The Commission finds that, to the extent a CLEC orders special access in lieu of UNEs, SWBT's performance shall be measured as another level of disaggregation in all UNE measures. The Commission also finds it appropriate to conduct a workshop, consistent with the discussion at the May 24, 2001 Open Meeting, on the issue of special access and UNEs.</p>

Issue	SWBT's Comments	CLECs' Comments	Commission Ruling
	<p>its position regarding whether special access should be considered within the Section 271 process in para. 211 of its April 16, 2001 Memorandum Opinion and Order, CC Docket No. 01-9, FCC 01-130. The FCC held that “[t]he Commission previously determined in the Bell Atlantic New York Order that checklist compliance is not intended to encompass provision of tariffed interstate services simply because these services use some of the same physical facilities as a checklist item. We note, however, that to the extent parties are experiencing delays in the provisioning of special access services ordered from Verizon’s federal tariffs, these issues are appropriately addressed in the Commission’s section 208 complaint process.” This again demonstrates that special access does not belong within the context of measuring a Bell Operating Company’s (BOC) performance in the provisioning of local exchange service.</p> <p>?? SWBT currently makes available special access performance data, pursuant to § 272(e)(1), which requires that a BOC, such as SWBT, fulfill the access service requests of unaffiliated entities no less timely than its own or its affiliates’ requests. Worldcom is free to petition the FCC to alter these existing measurements, and it would be best that they do so given the FCC’s role in interpreting the requirements of Section 272.</p>		
K Value	<p>?? SWBT is required to perform twice as many tests as is shown for each entry in the K table first at Tier 1 and then again at Tier 2.</p> <p>?? K – table is based on the number of tests with 10 or more data points, but in actuality performance tests are done on all measures with at least one data point. This increases the number of tests being done without</p>	<p>AT&T:</p> <p>AT&T believes that the K value is exc using SWBT from Tier 1 payments at a higher volume and rate than was anticipated when the K-value concept was incorporated into the Texas plan. Intended to control for Type 1 error, which the plan is designed to restrict</p>	<p>The Commission finds that, in light of SWBT’s performance on Tier 1 measures,¹ the Commission should not modify the Performance Remedy Plan at this time, except with reference to PM 13. For PM 13, to the extent the performance delivered to a CLEC is a “miss” for two consecutive months, the K value shall not exclude PM 13 from liquidated damage payments.</p>

¹ See letter filing made by SWBT on May 2, 2001 in this Project.

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	<p>any corresponding protection to SWBT for type 1 error.</p> <p>?? Use of Modified Z test produces a true alpha level of approximately 7.5% when the only cause of out-of-parity conditions is random variation. If other causes are present, then the true alpha level is higher still.</p> <p>?? Many tests involve measures where the CLEC sample size is less than 30. Using a Z-value of 1.7 as the threshold for passing results in an actual alpha value that is substantially greater than 5%.</p> <p>?? Requirement to do some benchmarks as a 'bright line' results in a type 1 error of 50%, if the benchmark is set correctly. Again, this is done without any compensatory protection for SWBT.</p> <p>?? Telephony data is typically skewed to one side or the other, this further increases SWBT's risk, since the underlying assumptions for the Z test are that the data is normally distributed, i.e. bell shaped and symmetric.</p> <p>?? CLECs can self select their markets and their customer base, and this leads to comparisons that are not 'statistically equivalent.' Again, increasing SWBTs exposure to type 1 error without any compensatory protection.</p> <p>In addition, actual data does not support the argument that the 'K value' is excusing SWBT from Tier 1 payments at a higher volume and rate than was anticipated.</p> <p>From February 2000 through January 2001, SWBT's actual miss rate was less than 5% when all CLECs across all twelve months are examined. Over half of these were still subject to damages. Due to the fact that some measures were exempt from being excused, some benchmarks are now "bright lines" and the rate of missing is not constant from month to month, SWBT actually paid for 65 % of these misses.</p> <p>The measures that SWBT does pay for are generally the medium and high importance measures, which carry</p>	<p>to 5%, the K value in application is excusing SWBT performance failures on more than 5% of its measures. Further, the K value operates as if all parity and benchmark violations are the same, more in keeping with a per measurement plan than the per occurrence structure of the Texas plan. In any given month, if the K value</p> <p>is "5", 5 measurement violations are excused, without regard to the amount of damages for which SWBT would have been liable under the plan for those violations. Excusing violations of "low" Tier 1 or Tier 2 measures can result in excusing more serious violations, and relieving SWBT from larger sanctions.</p> <p>Not only is the K value providing excessive protection against Type 1 error in operation, but Type 2 error remains subject to no control at all under the SWBT plan. The critical z-value is set at a level that produces a greater probability of Type 2 error - i.e., the probability that SWBT actually provides discriminatory or substandard service but reports compliance with the statistical test due to random variation in the data - than Type 1 error. Past recommendations to reduce the critical z-value to better balance Type 1 and Type 2 error have not been accepted. Accordingly, some alternative means for controlling type 2 error must be found.</p> <p>In the absence of any control on Type 2 error, and given the excessive protection against Type 1 error that the K value appears to be providing in operation, AT&T recommends that application of the K value be suspended."</p> <p>AT&T 5/03/01 Comment:</p> <p>SWBT's response does not alter the fact that AT&T has experienced the K value forgiving up to 50% of otherwise payable Tier 1 damages in a month. Nor does it change the fact, shown by Birch at the</p>	<p>This is consistent with the action taken by the Commission in the last six-month review on the most competition and customer affecting measures.</p>

Issue	SWBT's Comments	CLECs' Comments	Commission Ruling
	<p>larger monetary penalties. Measures, which are classified as low with few data points, are the first to be excused.</p> <p>SWBT has succeeded in keeping the actual miss rate below the expected miss rate by expending great efforts to fix any and all problems as they appeared.</p> <p>With respect to the argument that type 2 error is not adequately accounted for, SWBT will defer to the comments of AT&T's own statistical expert.</p> <p>AT&T's statistical expert, Colin Mallows, wrote in an affidavit for the FCC that "a one-tailed test with Type I error held at the 5% level strikes a fair balance between the need to account for both Type I and Type II errors."^{si} He continued in the same affidavit to consider the balance between Type I and Type II Errors. He concluded that "[u]sing a one-tailed test for Type I error at about the 5% level thus strikes a reasonable balance."ⁱⁱⁱ The title of this section of his affidavit was "The Error Probability Should Be Based On A One-Tailed Test With Type I Error At No More Than the 5% Level.</p> <p>Given both the results and Dr. Mallow's comments, SWBT feels that the current performance measurements system is already biased in favor of the CLECs. Eliminating the K value or increasing the alpha level (Type 1 error) would serve nothing more than to further bias the system in the CLECs' favor.</p>	<p>workshop, that the K value has eliminated 46% of the damages it would have been paid (and 56% of the individual measurement violations on which damages would have been paid) over the months of June 2000 through February 2001. This level of forgiveness is out of proportion to the fact that SWBT has reported missing the performance standard on 15-16% of Birch's measurements over the same period of time. Tr. 526-27. At that rate, the K value should have been excluding no more than a third of Birch's violations, based on the overall limitation of Type 1 error to 5% that it was intended to achieve.</p> <p>The balance between Type 1 and Type 2 error under statistical tests such as applied in the remedy plan is not a fixed constant. It depends on the tests and on the data. Subsequent to the quotation on which SWBT places its entire effort to dismiss the unwelcome subject of Type 2 error, Dr. Mallows supported remedy proposals made to this Commission during the performance measure collaborative work sessions in Project 16251 that would have set the critical z-value at 85%, based on the fact that examination of some actual ILEC/CLEC data at that time indicated that Type 1 and Type 2 error would be balanced at that level. The Commission rejected that approach, however, out of apparent concern that an 85% critical z-value would result in too frequent imposition of damages on SWBT for "false positives." The result was to accept a remedy plan that protects SWBT from Type 1 error, at the expense of exposing CLECs and the public to discrimination that goes undetected and unremedied, as the Kansas Commission Staff has recognized. That imbalance needs to be addressed, and suspending the K value would provide appropriate incentive to address it. (Dr.Mallows' examination of further actual ILEC performance data subsequently led him to favor alternative remedy plan structures that account for sample size and materiality and avoid use of the K value altogether).</p>	

Issue	SWBT's Comments	CLECs' Comments	Commission Ruling
		<p>SWBT's response does demonstrate one thing. Among affected parties, SWBT has exclusive access to the information regarding the impact of the K value. An individual CLEC sees only the impact on its situation. SWBT then seeks to rebut any individual CLEC complaint with data regarding the overall performance of the K value, data that CLECs have no opportunity to examine, either for the understanding that it might promote or for the criticisms that examination might prompt.</p> <p>AT&T stands on its recommendation that the K value be suspended at this time. The Commission took other measures in an effort to mitigate the impact of the K value at the initial six month review; the proposal here is different in degree, but not in kind. If the Commission is not prepared to take that step at this time, AT&T recommends that the Commission take two smaller steps. First, application of the K value should be revised so that the performance violations excluded from Tier 1 payments in a given month will be the "K" number of violations that yield the lowest damages under the Tier 1 formula – whether those measures are "Low," "Medium," or "High." The Tier 1 formula is designed to produce higher damages as SWBT's performance departs further from the parity or benchmark standard. If SWBT's performance on a Tier 1 Low matter is sufficiently egregious that the damages payable under the plan formula would be higher than the damages payable for a Tier 1 Medium violation, and the K value will excuse only one of the two, the Tier 1 Medium violation should be excused from damages. The relative damages yielded by the plan formula indicate that the need to compensate the CLEC and to deter repeat performance by SWBT is greater with respect to the Tier 1 Low measure in this example. This change should put an end to the situation, arising over the past several months, in which the K value has saved SWBT more Tier 1 damages on Low measures than SWBT has paid on all measurement types combined. <i>See</i> AT&T's separately filed</p>	

Issue	SWBT's Comments	CLECs' Comments	Commission Ruling
		<p>comments. Second, the Commission should put all parties on notice that it will provide for serious examination of the impact of the K value at the next six month review. Toward that end, SWBT should be required to prepare a report, for the months January through March 2001 and again for April through June 2001, for Commission Staff and all parties regarding application of the K value. The report should identify, for each month covered, and for each CLEC and for CLECs in the aggregate: which measures showed a parity or benchmark violation; which violations were excused by the K value; what additional Tier 1 damages would have been paid but for application of the K value. The data should be reported in such a way that individual CLECs are not identified, or appropriate arrangements should be made for this report to be provided under appropriate protective order so that CLEC representatives with the appropriate expertise to participate in evaluation of the K value may examine the data. Dates should be set for production of a report on the January through March data in the near future and for the April through June data well in advance of the next six-month review, so that an informed and balanced discussion of this issue may proceed at that time.</p> <p>Birch 5/03/01 Comment:</p> <p>Birch joins in the comments of AT&T regarding the K value.</p>	

54.1 Measurement	
Trouble Report Rate net of Installation and repeat Reports	
Definition:	
The number of customer trouble reports exclusive of installation and repeat reports within a calendar month per 100 circuits.	
Exclusions:	
<p>?? UNE and Interconnection Trunks</p> <p>?? Excludes trouble reports coded to Customer Premise Equipment, Interexchange Carrier/Competitive Access Provider, and Informational</p> <p>?? Excludes Trouble Reports included in PM 46.</p> <p>?? Excludes Customer Trouble Reports included in PM 53.</p>	
Business Rules:	
CLEC and SWBT repair reports are entered into and tracked via WFA. Reports are counted in the month they post.	
Levels of Disaggregation:	
See Measurement No. 43	
Calculation:	Report Structure:
[Count of trouble reports exclusive of installation and repeat reports ÷ (Total circuits ÷ 100)]	Reported by CLEC, all CLECs and SWBT.
Measurement Type:	
<p>Tier 1 – Low</p> <p>Tier 2 – None</p>	
Benchmark:	
Parity with SWBT Retail.	

55.4. Measurement (New Measure)	
Percent Provisioning Trouble Reports (PTR) on Line Sharing Orders	
Definition:	
Measures the percent of DSL –capable circuits for which the CLEC submits a trouble report after 5pm on the day before the due date and that are not provisioned correctly on the due date.	
Exclusions:	
?? None	
Business Rules:	
<p>The percent of DSL-capable circuits for which the CLEC submits a trouble report after 5pm on the day before due date for a line sharing order and that are not provisioned correctly on the due date.</p> <p>Line sharing orders shall be included herein without regard to whether the order is for the establishment of new services or is a conversion from one provider to another.</p>	
Levels of Disaggregation:	
?? None	
Calculation:	Report Structure:
(Count of line sharing orders for which the CLEC submits a trouble report after 5pm the day before the due date and that are not provisioned correctly on the due date divided by the total number of line sharing orders.)	Reported by CLEC, SWBT/affiliate and all CLECs.
Measurement Type:	
Diagnostic	
Benchmark:	
Parity with SWBT's Data Affiliate or SWBT retail.	

55.5 Measurement (New Measure)	
Loop Acceptance Testing (LAT Completed)	
Definition:	
Percent Loop Acceptance Test completed on or before due date.	
Exclusions:	
Orders where LAT not requested	
Business Rules:	
Loop Acceptance Test is where a SWBT Technician (Frame/Field as appropriate) is requested via an LSR to complete a Loop Acceptance Test. Loop Acceptance Test is completed on or before due date. The SWBT Technician will contact the CLEC via the LOC. The Tech will complete a series of tests with the CLEC to ensure a good loop is delivered (ie;connectivity, meets xDSL parameters).	
Levels of Disaggregation:	
?? IDSL Loops ?? DSL Loops with Line Sharing (placeholder until LAT for line sharing is broadly available) ?? DSL Loops without Line Sharing	
Calculation:	Report Structure:
(Count of orders for which the loop acceptance test is accomplished ? total # loop acceptance tests requested.)	CLEC, all CLECs, SWBT and SWBT Affiliate
Measurement Type:	
Tier 1 – Medium Tier 2 – None	
Benchmark:	
95% met	

114.2 Measurement (New Measure) Place Holder For Future Use	
CHC/FDT For DSL Loops and Line Sharing.	
Definition:	
Exclusions:	
Business Rules:	
Levels of Disaggregation:	
Calculation:	Report Structure:
Measurement Type:	
Benchmark:	

115.2. Measurement (New Measurement)	
Combined Outage Percentage for CHC/FDT LNP w/ Loop Lines Conversions	
Definition:	
Percentage of CHC/FDT LNP with Loop Lines where an outage occurs.	
Exclusions:	
None	
Business Rules:	
An outage is defined as a premature disconnect found in PM 114 for both CHC and FDT, an excessive duration for FDT in PM 114.1, and a CHC or FDT PTR found in PM 115.	
Levels of Disaggregation:	
None	
Calculation:	Report Structure:
(Count of outages (pm 114, 114.1 (FDT) and 115 ÷ total CHC/FDT conversions) * 100	Reported by CLEC and all CLECs.
Measurement Type:	
Tier 1 – High Tier 2 – High	
Benchmark:	
5%	